

SENATE JOURNAL

OF THE

Twenty-Sixth Legislature

OF THE

STATE OF WASHINGTON

AT

Olympia, the State Capital

Convened January 9, 1939

Adjourned Sine Die, March 9, 1939



VICTOR A. MEYERS, President
KEIRON W. REARDON, President Pro Tem
EARLE M. McCROSKEY, Secretary
A. J. SHARKEY, Asst. Secretary

COMPILED, EDITED AND INDEXED BY
EARLE M. McCROSKEY
SECRETARY OF THE SENATE

JOURNAL OF THE SENATE

OF THE STATE OF WASHINGTON

TWENTY-SIXTH SESSION

FIRST DAY

SENATE CHAMBER,
OLYMPIA, WASH., Monday, January 9, 1939.
Twelve o'clock Noon.

The Twenty-sixth Senate of the State of Washington, assembled at the Senate Chamber in the State Capitol, pursuant to law, at 12:00 o'clock noon.

Lieutenant-Governor Victor A. Meyers, President of the Senate, called the Senate to order.

Reverend Claude H. Lorimer, of the First Christian Church of Olympia, offered prayer.

The following certificate of election from the Secretary of State was read by the Acting Secretary of the Senate:

MESSAGE FROM THE SECRETARY OF STATE

Department of State, Office of the Secretary,
Olympia, Washington, January 9, 1939.

To the Honorable, The President of the Senate, The Legislature of the State of Washington, Olympia, Washington.

SIR: I, Belle Reeves, Secretary of State of the State of Washington, do hereby certify that the following is a full, true and correct list of the persons elected to the office of State Senator at the General Election held in the several voting precincts in the state on the eighth of November, 1938, as shown by the official return of said election now on file in the office of Secretary of State; and also the list of "holdover" senators from the twenty-fifth session of the Legislature; and that all of the following are entitled to seats in the Senate of the Legislature of the State of Washington, at its twenty-sixth biennial session commencing January 9, A. D. 1939, as appears from said election returns.

LIST OF SENATORS ELECTED NOVEMBER 8, 1938

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 2.....	David E. McMillan.....	Pend Oreille and Stevens
No. 6.....	Fred S. Duggan.....	Spokane, part
No. 7.....	Joseph Drumheller.....	Spokane, part
No. 8.....	J. P. Keller.....	Adams, Ferry and Lincoln
No. 13.....	Clifford O. Moe.....	Grant and Kittitas
No. 15.....	A. M. Murfin.....	Yakima, part
No. 20.....	Herbert H. Sieler.....	Lewis
No. 21.....	Frank L. Morgan.....	Grays Harbor, except 18 precincts
No. 25.....	Ted Schroeder.....	Pierce, part
No. 26.....	Ralph Metcalf.....	Pierce, part
No. 27.....	Kathryn Malstrom.....	Pierce, part
No. 29.....	G. B. Kerstetter.....	Pierce, part
No. 30.....	H. I. Kyle.....	King, part

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 31.....	Earl Maxwell.....	King, part
No. 32.....	N. P. Atkinson.....	King, part
No. 33.....	Albert D. Rosellini.....	King, part
No. 34.....	Paul G. Thomas.....	King, part
No. 35.....	Joseph D. Roberts.....	King, part
No. 36.....	George A. Lovejoy.....	King, part
No. 37.....	Judson W. Shorett.....	King, part
No. 38.....	Pearl A. Wanamaker.....	Island, part and Snohomish, part
No. 42.....	Thomas Voyce.....	Whatcom, part
No. 43.....	W. C. Dawson.....	King, part
No. 44.....	James T. Sullivan.....	King, part
No. 45.....	Robert T. McDonald.....	King, part
No. 46.....	Mary Farquharson.....	King, part

LIST OF HOLDOVER SENATORS

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 1.....	J. M. Koontz.....	Douglas and Okanogan
No. 3.....	W. R. Orndorff.....	Spokane, part
No. 4.....	Alfred E. Holt.....	Spokane, part
No. 5.....	Kebel Murphy.....	Spokane, part
No. 9.....	Gordon Klemgard.....	Whitman
No. 10.....	Howard Roup.....	Asotin, Columbia and Garfield
No. 11.....	Henry J. Copeland.....	Walla Walla
No. 12.....	John H. Ferryman.....	Chelan
No. 14.....	Geo. F. McAulay.....	Yakima, part
No. 16.....	Chas. F. Stinson.....	Benton, Franklin, Klickitat and Skamania
No. 17.....	Chapin A. Mills.....	Clark
No. 18.....	Dr. J. W. Henderson.....	Cowlitz and Wahkiakum
No. 19.....	T. C. Bloomer.....	Pacific and part Grays Harbor
No. 22.....	Harold P. Troy.....	Thurston
No. 23.....	Lulu D. Haddon.....	Kitsap
No. 24.....	Joe L. Keeler.....	Clallam, Jefferson and Mason
No. 28.....	Monty Percival.....	Pierce, part
No. 39.....	Keiron W. Reardon.....	Island, part and Snohomish, part
No. 40.....	Leroy L. Todd.....	San Juan and Skagit
No. 41.....	A. E. Edwards.....	Whatcom, part

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the State of Washington, at Olympia, this 9th day of January, 1939.
(Seal of the State of Washington.)

BELLE REEVES, *Secretary of State.*

The Acting Secretary called the roll, all members being present.

The newly elected members of the Senate were sworn in by Justice Blake of the Supreme Court of the State of Washington.

Senator Drumheller nominated Senator Keiron W. Reardon for President Pro Tempore of the Senate.

The Acting Secretary called the roll and Senator Reardon was elected President Pro Tempore by the following vote:

Those voting for Senator Reardon were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Those voting nay were: Senator Atkinson—1.

Senator Troy nominated Earle M. McCroskey for Secretary of the Senate.

The Acting Secretary called the roll and Earle M. McCroskey was elected Secretary of the Senate by the following vote:

Those voting for Earle M. McCroskey were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Those voting nay were: Senator Morgan—1.

Not voting: Senator Atkinson—1.

Senator Haddon nominated Joseph Mehan for Sergeant-at-Arms of the Senate.

Senator Ferryman moved that nominations be closed.

The motion carried.

The Acting Secretary of the Senate called the roll and Joseph Mehan was elected Sergeant-at-Arms by the following vote:

Those voting for Joseph Mehan were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Not voting: Senator Atkinson—1.

The Secretary read:

SENATE RESOLUTION

By Senator Reardon:

Resolved, That the rules of the 1937 Senate as printed in the Legislative Manual for that year be adopted as permanent rules of the Senate for this session with the following amendments:

Amend Rule 6 to read:

"The President shall appoint all special, joint, conference, free conference, and hereinafter named standing committees on the part of the Senate: *Provided, however*, That the committee on rules and joint rules shall consist of the president and eleven senators, of which the president shall be chairman, *And provided further*, That the appointment to the confirmation of the Senate, such confirmation to be made a special order on the day following the announcement of the appointment by the president: *Provided, however*, That conference and free conference committees may be confirmed immediately following announcement of the appointment by the president.

"In the event the Senate shall refuse to confirm any committee or committees, such committee or committees shall be forthwith elected by the Senate."

(Note: Standing Committees to remain as of 1937 session.)

Amend Rule 65 to read as follows:

"No standing rule or order of this Senate shall be rescinded or changed without a majority vote of the members, and one day's notice of the motion thereof; but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the Senate may proceed accordingly; but this shall not apply to that portion of Rule 20 relating to the third reading of bills, which cannot be suspended."

Senator Reardon moved the adoption of the resolution.

The Secretary called the roll on the motion of Senator Reardon and it carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Todd, Troy and Wanamaker—37.

Those voting nay were: Senators Atkinson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Sullivan, Thomas and Joyce—9.

Senator Reardon moved the suspension of rule 63.

The motion carried.

The Secretary read:

SENATE RESOLUTION

By Senator Wanamaker:

Resolved, That the President of the Senate be and he is hereby authorized to sign the payroll for the Senators in their absence.

On motion of Senator Wanamaker the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Farquharson:

Resolved, That the Secretary be and he is hereby instructed to purchase and deliver to the President of the Senate, the Secretary of the Senate, and to each of the Senators, fifteen dollars worth of postage.

Senator Farquharson moved to amend the resolution to read twenty dollars worth of postage instead of fifteen.

Senator Dawson moved that the resolution be amended to read ten dollars, instead of fifteen dollars.

Senator Thomas moved that the motion of Senator Dawson be laid on the table.

Motion to lay on the table carried.

Senator Farquharson's motion to amend carried.

On motion of Senator Farquharson the resolution as amended was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Klemgard:

Resolved, That the Committee on Senate Employees be and it is hereby fully empowered and authorized to fix and adjust all salaries of employees of the twenty-sixth Senate and that the minimum wage be \$5.00 per day.

On motion of Senator Klemgard the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Malstrom:

Resolved, That the State Auditor be and he is hereby directed to draw his warrants for the payment of salaries of members and employees of the Senate every week of the session upon payrolls which shall be signed by the members and employees and certified by the President and Secretary of the Senate, and he is hereby authorized and directed to deliver the warrants so issued to the Secretary of the Senate, taking his voucher therefor.

On motion of Senator Malstrom the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Haddon:

Resolved, That the courtesies of the Senate are hereby extended to all former Presidents and members of the Senate.

On motion of Senator Haddon the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Kyle:

Resolved, That any member desiring to introduce a bill, resolution or memorial shall file the same with the Secretary of the Senate by nine o'clock on the evening of the day before the convening of the session at which said bill, resolution or memorial is to be introduced; and that no bill, resolution or memorial is to be introduced which has not been in the hands of the Secretary at the time stated.

Be It Further Resolved, That all committee reports must be on the Secretary's desk at the time of the convening of the morning or afternoon session, in order to be read at said session.

On motion of Senator Kyle the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Metcalf:

Resolved, That when the Senate adjourns today that it adjourn in the memory of former Senators:

George Henry Tucker
 James A. Murphy
 Hugh Herren
 Harry H. Brown
 P. Frank Morrow
 Ed Brown
 W. W. Conner
 Robert Grass
 Harry Rosenhaupt
 Harold Preston
 Dan A. Scott
 Jesse Huxtable
 Joseph St. Peter
 Henry McBride, former Lieutenant Governor.

On motion of Senator Metcalf the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Reardon:

Resolved, That a committee of three Senators be appointed to notify the House of Representatives that the Senate is now organized and ready for business.

On motion of Senator Reardon the resolution was adopted.

The President appointed as members of the committee to notify the House that the Senate was organized and ready to transact business Senators Sullivan, Voyce and Roberts.

At 12:50 p. m., on motion of Senator Maxwell the Senate recessed until 1:30 p. m.

AFTERNOON SESSION

The Senate re-convened at 1:30 p. m., with Lieutenant-Governor Meyers in the chair.

A committee from the House, Representatives John R. Jones, Roy Kinnear and J. Howard Payne, appeared at the door of the Senate and notified the Senate that the House was organized and ready to do business.

Senator Shorett in the chair:

The Secretary read:

MESSAGE FROM THE SECRETARY OF STATE

Department of State, Office of the Secretary,
Olympia, Washington, January 9, 1939.

To the Honorable, The President of the Senate, The Legislature of the State of Washington, Olympia, Washington.

SIR: I have the honor of herewith submitting a recapitulation of the votes cast at the General Election, held throughout the state on November eighth, nineteen thirty-eight, as canvassed by me from the returns made to this department by the several County Auditors of the State.

Respectfully,

(Signed) BELLE REEVES, *Secretary of State.*

RECAPITULATION OF THE VOTES CAST IN THE GENERAL ELECTION HELD IN THE STATE OF WASHINGTON ON TUESDAY, NOVEMBER THE EIGHTH, NINETEEN THIRTY-EIGHT

INITIATIVE MEASURE NO. 126, ENTITLED:

"An Act providing for a non-partisan ballot and relating to the manner of the nomination and election thereby of the Superintendent of Public Instruction of the state and the County Superintendent of Schools of the various counties thereof."

FOR Initiative Measure No. 126.....293,202
AGAINST Initiative Measure No. 126.....153,142

INITIATIVE MEASURE NO. 129, ENTITLED:

"An Act limiting to 40 mills the aggregate annual levy on real and personal property for all purposes; limiting the levy by the state to 2 mills, provided that the legislature may omit this levy, in which case it may increase the permitted levy by cities or towns; limiting the levy by counties, cities and towns, school districts and road districts to certain designated maximums; exempting port districts and power districts from its operation and providing that additional levies may be made by election."

FOR Initiative Measure No. 129.....340,296
AGAINST Initiative Measure No. 129.....149,534

INITIATIVE MEASURE NO. 130, ENTITLED:

"A Measure relating to employment; providing for the service of written demands upon the employer; providing that a majority vote of the employees concerned cast in a prescribed manner shall be necessary before a strike may be called; making provisions concerning lockouts; and providing penalties."

FOR Initiative Measure No. 130.....268,848
AGAINST Initiative Measure No. 130.....295,431

AMENDMENT TO THE CONSTITUTION PROPOSED BY THE LEGISLATURE

"A Proposal to amend Section 1, Article VII of the Constitution of the State of Washington relating to taxation by providing that nothing contained in said section shall be construed to prevent the enactment of a graduated net income tax law."

FOR the Proposed amendment of Section 1, Article VII
of the Constitution.....141,375
AGAINST the Proposed amendment of Section 1, Article
VII of the Constitution.....285,946

UNITED STATES SENATOR

Homer T. Bone	Democratic	371,535
Ewing D. Colvin.....	Republican	220,204
Eugene Solie.....	Socialist Labor.....	1,553

REPRESENTATIVES IN CONGRESS

First District

Warren G. Magnuson.....	Democratic	90,768
Matthew W. Hill.....	Republican	56,293

Second District

Mon C. Wallgren.....	Democratic	58,313
Chas. A. Sather.....	Republican	36,442

Third District

Martin F. Smith.....	Democratic	52,305
Walter S. Talbott.....	Republican	34,394

Fourth District

Knute Hill.....	Democratic	38,647
Frank Miller.....	Republican	37,969

Fifth District

Charles H. Leavy.....	Democratic	52,782
Norman A. Ericson.....	Republican	38,858
John F. McKay.....	Independent Socialist.....	849

Sixth District

John M. Coffee.....	Democratic	64,871
Willard V. Young.....	Republican	24,002

JUDGES OF THE STATE SUPREME COURT

POSITION No. 1

William J. Steinert.....	291,386
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POSITION No. 2

George B. Simpson.....	278,334
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POSITION No. 3

C. G. Jeffers.....	215,946
Ernest M. Card.....	156,373

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the State of Washington, at Olympia, this 9th day of January, 1939.
(Seal of the State of Washington) BELLE REEVES, *Secretary of State.*

The Secretary read:

MESSAGE FROM THE SECRETARY OF STATE

Department of State, Office of the Secretary,
Olympia, Washington, January 9, 1939.

*To the Secretary of the Senate, The Legislature of the State of Washington,
Olympia, Washington.*

SIR: I herewith transmit certified copies of Senate Bills Nos. 398, 153, 306, 395, 119, 410, 349, 169, 256 and 336, being Chapters 139, 181, 184, 206, 207, 208, 213, 226, 227 and 230 of the 1937 Session Laws of the State of Washington, together with the original veto message in each instance attached thereto.

Very truly yours,

BELLE REEVES, *Secretary of State.*

President pro tempore Reardon in the chair:

On motion of Senator Murphy the veto messages were ordered spread on the Journal and the vetoed bills referred to the Committee on Rules and Joint Rules.

MESSAGES FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, March 15, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to Section 4, Senate Bill No. 398 entitled:

"An Act relating to the state government, prescribing the minimum compensation of state employees and declaring that the act shall take effect April 1, 1937."

The principle involved in this bill will be put into operation as speedily as possible. However, it would be extremely difficult if not absolutely impossible to put the bill into complete operation within the short time now remaining before April 1, 1937.

For this reason, Section 4 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, March 17, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to section 3, Senate Bill No. 153 entitled:

"An Act creating a state institute of child development and research service, providing for management of same and making an appropriation therefor."

While I believe in the principle of this bill, I do not believe a special appropriation should be made. Since the legislature has already made liberal appropriations to the University, it would seem that this work can be carried on under its general revenues.

For this reason section 3 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, March 17, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to section 5, Senate Bill No. 306 entitled:

"An Act to regulate the caravaning of motor vehicles, providing for the licensing thereof, and prescribing penalties."

Recent court decisions show that the fee for each vehicle provided in section 5 is so excessive that the entire act can not be expected to withstand attack. The proponents of the bill do not object to disapproval of the section in its present form.

For this reason, section 5 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, March 18, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to sections 1 and 2, Senate Bill No. 395, entitled:

"An Act relating to and providing for an additional tax of one-half cent ($\frac{1}{2}$ c) per gallon on motor vehicle fuel and inflammable petroleum products from the period from

July 1, 1937 to July 1, 1941; providing for the exclusive use of such additional tax together with other funds from the motor vehicle fund for secondary state highways; appropriating five and one-half million dollars (\$5,500,000.00) for secondary state highways and declaring an emergency."

Sections 1 and 2 of this Act impose an additional one-half cent tax upon gasoline. It is proposed that this money be used to provide funds toward supporting a secondary state highway system of approximately 2500 miles, located in every county of our state. Senate Bill No. 119, the companion bill, contains the provisions for this comprehensive secondary system.

In my message to the legislature, I warned that there was no public demand for new forms of taxes, or higher levies on existing forms, and frankly suggested that I intended to act accordingly. Later, when the measure to increase the gasoline tax was under consideration, I again suggested to members of the legislature, both individually and in groups, that the people would not appreciate increases in taxes; and that, if a secondary state highway system was desired, it might be better to plan to fully reimburse the motor vehicle fund for money borrowed in the emergency of 1933 before imposing additional taxes on motorists.

Now, I still thoroughly appreciate the desirability of establishing this secondary highway program at this time. It will mean increased employment and a greatly improved service for the people throughout our state.

However, we should remember that the motorists of this state have been sustaining a substantial tax program in an effort to develop our splendid system of highways. I have been of the opinion, and still am, that the entire tax levy on motorists should be utilized exclusively for the construction and maintenance of highways.

In view of the fact that a substantial diversion was made from the motor vehicle fund in 1933, because of the emergency that gripped our people and confronted the legislature, I believe that a full restoration of this diversion should be given to the highway program before there are any thoughts of increasing the gasoline tax. The amount of the diversion, which totals in excess of \$1,000,000 annually, is almost equal to the amount of the proposed additional levy on gasoline.

I am convinced, too, that the principal problem involved in this situation is not necessarily increased revenue, but primarily proper distribution and careful supervision of funds already available.

For these reasons, I disapprove of the proposed additional tax on gasoline, and approve the creation and development of the proposed secondary state highway system; and I am confident, too, that we can measurably maintain the secondary system within the funds available.

Therefore, sections 1 and 2 are vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor*.

State of Washington, Executive Department,
Olympia, March 18, 1937.

To the Honorable, the Senate of the State of Washington:

(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to section 23, Senate Bill No. 119 entitled:

"An Act relating to public highways; classifying public highways outside incorporated cities and towns; establishing, designating and describing secondary state highways as branches of primary state highways of this state; defining the powers and duties of certain public officers with respect thereto; providing for application of laws, rules and regulation of vehicles thereon; repealing acts and parts of acts in conflict; providing for constitutionality; and declaring an emergency."

While I approve this act there is no valid reason why it should take effect immediately.

For this reason, section 23 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor*.

State of Washington, Executive Department,
Olympia, March 18, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith to be transmitted to the Senate at the next session of the legislature, without my approval of subsections 1 and 2 of section 2 and sections 5 to 8 inclusive, Senate Bill No. 410 entitled:

"An Act relating to public roads and streets, making motor vehicle fund a permanent fund, providing for the distribution within and making appropriations from the motor vehicle fund for supervision, location, right of way, improvement, construction, reconstruction, maintenance, special maintenance, emergencies and capital outlay for primary state highways and for payment of interest and bonds on state owned bridges and for secondary or county road and city streets, making appropriations for carrying out the provisions of certain acts of Congress and for miscellaneous purposes, prescribing the powers and duties of certain officers, making appropriations for the reimbursement of counties and incorporated cities and towns, and making an appropriation from the highway equipment fund, repealing all laws in conflict herewith, and declaring that this Act shall take effect immediately."

Items 1 and 2 of section 2 of this act provide for payment from allocations of gas tax money made to the cities of Seattle and Bellingham of certain special improvement assessments due against real property in said cities. I am advised that there is considerable question as to the constitutionality of the two provisions mentioned, but aside from that, we are confronted with the serious question of whether general motor vehicle funds should be used to give special relief to a local district. I cannot believe such provision to be desirable as a public policy. However meritorious the claim for relief of the people of said local districts may be, I do not believe that it should be met at the expense of general gas tax fund intended for the benefit of all the people of the community.

Sections 5 to 8 inclusive are inconsistent with the remainder of the act and are also inconsistent with Senate Bill No. 119. I have approved the secondary system provided by such act, and therefore disapprove these inconsistent sections.

For these reasons, items 1 and 2 of section 2 and sections 5 to 8 inclusive are vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, March 19, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval of sections 3, 4, 6 and 12, Senate Bill No. 349, entitled:

"An Act relating to small loans; providing for the licensing and regulating the business of making loans under three hundred dollars (\$300.00), prescribing a maximum rate of interest; providing for the regulation of the business of making such loans, for examination, investigations and licensing of persons engaged in such business; providing penalties for violation of the Act and repealing all Acts in conflict."

For many years, efforts have been made to procure reasonable regulation of the business of making small loans to people of limited income. In my messages to the last two legislatures, I asked the enactment of such legislation. At the present session, as always, by the most reprehensible methods, efforts to meet this problem in a reasonable way were opposed.

Every good citizen must regard the publicly reported actions of at least some of the representatives of this business as a reflection on the good name of our state. We cannot regard this small loan act passed by the legislature in their natural indignation as the best act that could have been procured, but the representatives of this business must realize that they and they alone are largely responsible for its not being a better act.

My own natural inclination is to approve all the features of this bill, however arduous they may be, but I feel the four sections I disapprove, whether their provisions

are deserved or not, to be unduly burdensome. Their veto will still leave a workable act for the protection of the people.

For these reasons, sections 3, 4, 6 and 12 are vetoed and the remainder of the bill approved.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor*.

State of Washington, Executive Department,
Olympia, March 22, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to section 5, Senate Bill No. 169, entitled:

"An Act relating to education, creating a state school equalization fund, providing for budgeting and distributing same, amending section 4936 of Remington's Revised Statutes, making an appropriation and declaring an emergency."

While I approve of this bill as a whole, I do not believe that it is proper that the provisions thereof should go into immediate effect.

For these reasons, section 5 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor*.

State of Washington, Executive Department,
Olympia, March 23, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval as to section 6, Senate Bill No. 256, entitled:

"An Act relating to taxation amending sections 4, 5, 6, 11, 19, 21, 24, 27, 36, 37, 40, 44, 45, 49, 187, 188, 192, 200, 202, 211, and 212 of chapter 180, Laws of 1935 (sections 8370-4, 8370-5, 8370-6, 8370-11, 8370-19, 8370-21, 8370-24, 8370-27, 8370-36, 8370-37, 8370-40, 8370-44, 8370-45, 8370-49, 8370-187, 8370-188, 8370-192, 8370-200, 8370-202, 8370-211, 8370-212, Remington's Revised Statutes); and adding three new sections thereto and declaring that this act shall take effect May 1st, 1937."

The 1935 revenue measure, which includes the sales tax, was enacted to meet an emergency, and fortunately it measured up to our needs, yielding even more than was anticipated.

Now, because of improvement in business and experience in administration, it appears that this revenue system will yield substantially larger returns during the coming biennium. I am confident that the anticipated gain—considering the elimination of several desirable but untimely functions and appropriations; and careful planning and practice of strict economy—will in a substantial way take care of the reasonable needs of our commonwealth.

Consequently, I believe it is unnecessary and inadvisable at this time to further burden our people by extending this system of taxation to impose a levy on exempted foodstuffs.

It is true, of course, that these exemptions complicate administration of the sales tax and cause inconveniences to the merchants; and it may be that, if this form of taxation is to be retained as a part of the general tax structure, the people generally will realize and concede that the exemptions should be removed. Because of this possibility, I am asking the State Tax Commission to make a close study of the problem of exemptions and to make a report early enough to give the people an opportunity to discuss and understand the matter before the next session of the Legislature.

For these reasons Section 6 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor*.

State of Washington, Executive Department,
Olympia, March 22, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval as to certain items, Senate Bill No. 336, entitled:

"An Act making appropriations for the payment of salaries of certain officers and employees of the state and for the operation, maintenance, and other expenses of certain state institutions, departments and offices, for the purchase and improvement of land, the construction of buildings and improvements for the various state institutions designated and mentioned, and for emergencies, and for refunds, and for deficiencies, and for sundry civil expenses of the State government, and for public assistance, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal biennium beginning April 1, 1937, and ending March 31, 1939, except as otherwise provided, and declaring that this act shall take effect immediately."

I disapprove and veto the items "Departmental Audits: Salaries and wages \$2,500.00; Operations \$3,000.00" for the reason that Senate Bill No. 372, which has been approved, increases the contribution by the Liquor Control Board for the purpose of an audit from \$10,000.00 to \$20,000.00 for the biennium. This is in line with the provisions of law regarding auditing of other state departments and eliminates the need of appropriations from the General Fund for this purpose.

I disapprove and veto the items "Audit, Department of Public Welfare: Salaries and Wages \$23,000.00; Operations \$10,450.00." As the duty of auditing the newly organized department of Social Security is vested in the director of Finance, Budget and Business, these appropriations are unnecessary.

I disapprove and veto the item "Indexing Senate and House Journals \$700.00," for the reason that House Bill No. 700 appropriates \$1,000.00 for this purpose.

I disapprove and veto the item "Food and Drugs Division: Salaries, Wages and Operations, \$40,000.00," for the reason that Senate Bill No. 213 has been disapproved and the regular appropriations are sufficient to carry on the work of this division.

I disapprove and veto the items "FROM THE COMMISSION MERCHANTS FUND: Salaries and Wages \$10,000.00; Operations \$6,350.00; (Expenditures not to exceed fees heretofore or hereafter collected) Total, \$16,350.00." House Bill No. 297, having been approved, carries an appropriation of \$40,000.00 for this purpose. Therefore, these items are unnecessary.

I disapprove and veto the items "FROM THE EMERGENCY RELIEF FUND, UNTIL EXHAUSTED, BALANCE FROM THE GENERAL FUND, For the Department of Public Welfare: Salaries and Wages \$2,658,000.00; Operations \$736,000.00; Social Security, including Old Age assistance, General assistance and Child Welfare \$40,000,000.00; Total \$43,394,000.00," for the reason that Senate Bill No. 149 appropriates \$43,394,000.00 for carrying on the work of the department of Social Security. This represents a duplication of the above mentioned items which are therefore unnecessary.

I disapprove and veto the items "FROM THE GENERAL FUND, For the Washington State Patrol: Salaries and Wages \$420,000.00; Operations \$395,175.00; Total \$815,175.00. FROM THE MOTOR VEHICLE FUND, Salaries, Wages and Operations \$100,000.00," for the reason that the foregoing items are duplicated from the Highway Safety Fund and the General Fund in House Bill No. 700, which has been approved. Therefore, the above items are unnecessary.

I disapprove and veto the item for the Department of Highways, "Capital Outlays and Major Repairs \$194,940.00," for the reason that Senate Bill No. 410 which has already been approved, contains sufficient appropriation for ordinary capital outlay and major repair items.

With the exception of the foregoing items which are vetoed, the remainder of Senate Bill No. 336 is approved.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

The Secretary read:

MESSAGE FROM THE SECRETARY OF STATE

Department of State, Office of the Secretary,
Olympia, Washington, January 9, 1939.

To the Honorable, the President of the Senate, the Legislature of the State of Washington, Olympia, Washington:

SIR: I have the honor to transmit herewith pursuant to section 12, article III of the Constitution of the State of Washington, for the consideration of the Senate, the following bills passed by the House and Senate in the Legislative Session of 1937, and vetoed by the Governor, together with his veto message attached thereto.

They are Senate Bills Nos. 38, 71, 152, 165, 175, 213, 214, 232, 234, 278, 352, 365 and 402.

Very truly yours,

BELLE REEVES, Secretary of State.

On motion of Senator Murphy the veto messages were ordered spread on the Journal and the vetoed bills referred to the Committee on Rules and Joint Rules.

MESSAGES FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, March 22, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval, Senate Bill No. 38, entitled:

"An Act relating to the hours of labor of employees of the state and its political subdivisions upon public improvements and works done by contract for the state or its political subdivisions, declaring the public policy of the state with regard thereto, providing penalties for its violations, and amending sections 7642, 7643, 7646 and 7647 of Remington's Revised Statutes of Washington, and repealing Section 7645 of Remington's Revised Statutes of Washington."

While there is possibly much to be said in favor of the principle embodied in this bill, and the same may at some future date be properly enacted into law, nevertheless I feel that it would be a mistake to adopt this law at this time. I am informed that the Federal government and various other agencies have attempted to put into effect the six-hour day, thirty-hour week principle and that the same has been found unworkable and has been abandoned. I am also informed that while it is possibly adaptable to many industries that there are many public works projects to which it can not be reasonably applied; also that in many instances it has worked to the detriment of labor. To permit this bill to become a law at the present time would, I believe, prevent many contemplated projects and be beneficial to no one, the workman least of all.

For these reasons, Senate Bill No. 38 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, Washington, March 19, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 71, entitled:

"An Act relating to and providing for the establishment and maintenance of State Junior Colleges, and making an appropriation."

I can appreciate the interest that many of our communities have in their development of a Junior College program. In many instances they have developed a most creditable institution. My interest in the development of our educational system in

behalf of all of our boys and girls is well known. The administration has gone far in the last four years to stabilize the financial background and the standard of our educational system. We still have some further equalization to complete in connection with our present school system, which will involve the expenditure of additional public funds.

Until our present responsibilities have been fulfilled, I deem it unwise at this time to enlarge on our educational program until a careful survey has been made by the department of education, with definite recommendations from them, and until sufficient funds are available to maintain such enlargement as might be recommended.

For these reasons, Senate Bill No. 71 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor.*

State of Washington, Executive Department,
Olympia, March 19, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 152, entitled:

"An Act relating to the expenditure of funds credited to the several counties from the motor vehicle fund by those counties having a township form of county government."

This bill will affect only two counties. In view of the fact that the state has now taken over the secondary highway system, I believe that the counties affected should be allowed to expend their portion of the motor vehicle fund without being subject to the restrictions imposed by this bill, and especially during the readjustment period which will result from such change in the secondary highway system.

For these reasons, Senate Bill No. 152 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor.*

State of Washington, Executive Department,
Olympia, March 19, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 165, entitled:

"An Act providing for state aid to free public libraries, making an appropriation therefor; defining the powers and duties of the state board for the certification of librarians; amending chapter 119, Laws of 1935 by adding two new sections thereto; and declaring that the Act shall take effect immediately."

While I appreciate the services rendered by our public libraries, I feel that the present financial limitations of the state make it impossible to provide a State contribution. It is evident the state will be obligated to the very limit during the ensuing biennium to provide adequately for our established state institutions and to carry out the enlarged Social Security program.

For these reasons Senate Bill No. 165 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor.*

State of Washington, Executive Department,
Olympia, March 18, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval, Senate Bill No. 175, entitled:

"An Act relating to and authorizing and governing actions against the State of Washington, and amending section 1 of chapter 216, Laws of 1927."

This bill would affect all forms of actions^a against the state and its officers, and would tend to confusion in view of many existing statutes. While I appreciate that the existing law requiring all actions against the state to be brought in Thurston County may impose inconveniences in some instances, nevertheless I believe that the proper conduct of the state's government and business requires that the present law be retained.

For this reason Senate Bill No. 175 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor*.

State of Washington, Executive Department,
Olympia, March 18, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval, Senate Bill No. 213, entitled:

"An Act to prevent the manufacture, shipment and sale of adulterated or misbranded food, drugs, devices and cosmetics, and to regulate traffic therein; to prevent the false advertisement of food, drugs, devices and cosmetics; prescribing the power of the director of agriculture in connection therewith, prescribing penalties; and repealing sections 6137, 6138, 6139, 6143, 6144, 6145, 6146, 6147, 6148, 6149, 6150, 6151, 6152, 6153, and 6154 of Remington's Revised Statutes; and declaring an emergency."

While the end sought to be accomplished by this bill is most desirable and every protection should be thrown around foods and drugs to insure the welfare of our people, I do not believe that this bill should be permitted to become a law. The National Congress now has before it a bill to regulate foods and drugs, and this bill will likely be passed at this session of Congress. I, therefore, believe that it is better to delay action by the state until after the new Federal law has been adopted, thereby avoiding possible conflict. In view of our present law covering this subject, it is unlikely that harm can result to our citizens through such delay. It is altogether probable that the enactment of such Federal law will render such delay desirable.

For these reasons Senate Bill No. 213 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor*.

State of Washington, Executive Department,
Olympia, March 18, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval, Senate Bill No. 214, entitled:

"An Act providing for the registration of contractors, defining terms; providing for the method of obtaining licenses to engage in the business of contracting and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; prescribing the punishment for violation of the provisions of this act; and repealing all laws or parts of laws in conflict herewith."

With no doubt evils exist which this bill is designed to correct, it seems to me there is no necessity for so comprehensive a system of regulation as is provided in this bill. It seems to me that such evils, if any, can be reached without imposing the restrictions created by this bill.

For these reasons, Senate Bill No. 214 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor*.

State of Washington, Executive Department,
Olympia, March 19, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 232, entitled:

"An Act regarding boards of county commissioners relative to the care of persons suffering from tuberculosis, and providing state aid and methods of payment therefor to counties not maintaining a county tuberculosis hospital."

While I approve of the principle of this act, which would place tuberculosis sufferers living in counties unable to maintain a tuberculosis hospital on a par with those living in counties maintaining such hospitals, yet this problem can be cared for under the general social security program, which enactment has made this act unnecessary.

For these reasons, Senate Bill No. 232 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, March 19, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 234, entitled:

"An Act relating to payments by the state to county tuberculosis hospitals and joint county tuberculosis sanatoria; providing for vocational rehabilitation and amending sections 6123, 6130-12, Remington's Revised Statutes of Washington."

I approve reasonable state aid to county tuberculosis hospitals, but the state is now bearing a substantial proportion of the cost of their maintenance. This act not only increases the contribution of the state, but no appropriation sufficient to carry out this increased contribution has been provided by the legislature.

For these reasons, Senate Bill No. 234 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, March 17, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 278, entitled:

"An Act requiring contractors on public works to furnish bonds conditioned for the performance of said contracts, and for the payment of laborers, mechanics, materialmen, and others, and repealing sections 1159, 1159-1, 1160, and 1161 of Remington's Revised Statutes of the State of Washington, and all other acts in conflict herewith."

While appreciating that this act is intended to meet those difficulties which have sometimes arisen under existing law, I can find no necessary new matter therein. I am advised that the bill contains changes that seem objectionable, and tend to confusion. A long line of court decisions have definitely established rights under the present law and this act, rather than correcting the occasional difficulties that have arisen, might further confuse the situation and thus not remedy in any perceptible degree the conditions it is intended to meet.

For these reasons Senate Bill No. 278 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, March 18, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval, Senate Bill No. 352, entitled:

"An Act providing for primary elections in school districts of the first class in Class A Counties."

Since school directors receive no compensation for their arduous services, it would seem to be unfair to require candidates who are desirous of contributing their time to the worthy purpose of managing the affairs of a school district to face the difficulty and expense of both a primary and a general election.

For the above reasons Senate Bill No. 352 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, March 16, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval, Senate Bill No. 365, entitled:

"An Act relating to state forests, defining powers and duties of the State Forest Board and other officials in respect thereto, providing for disbursement of funds and amending section 5812-3 of Remington's Revised Statutes (section 1, chapter 117 of Laws of 1929)."

Senate Bill No. 365 specifically amends section 5812-3, Remington's Revised Statutes, which is the identical section of existing law specifically amended by House Bill No. 508. I have approved House Bill No. 508 as being the more desirable amendment.

For this reason, Senate Bill No. 365 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

State of Washington, Executive Department,
Olympia, March 22, 1937.

To the Honorable, the Senate of the State of Washington:
(Through the Secretary of State)

LADIES AND GENTLEMEN:

I am filing herewith, to be transmitted to the Senate at the next session of the Legislature, without my approval, Senate Bill No. 402, entitled:

"An Act relating to certificates of ownership of motor vehicles and providing that as a condition to the re-issue or transfer of any such certificate evidence shall be furnished that all property taxes on the transferred vehicle have been paid."

In view of the fact that I have already given my approval to Senate Bill No. 291, which has the effect of removing the property tax from private motor vehicles, this bill can have practical operation for a limited period only. I believe that whatever value there may be in this bill for the comparatively short time during which it could operate, is not sufficient to overcome the difficulties of administration and the burdens which it would necessarily impose upon the owners of private motor vehicles.

For these reasons, Senate Bill No. 402 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN, Governor.

INTRODUCTION OF BILLS

Senate Bill No. 1, by Senator Ferryman, entitled: "An Act appropriating the sum of one hundred and twenty-five thousand dollars (\$125,000.00) or so much thereof as may be necessary for the expenses of the Twenty-sixth Legislature and for expenses incurred in completing the work of the Twenty-fifth Legislature, and declaring an emergency."

The bill was read the first time and on motion of Senator Ferryman, the rules were suspended, the bill was read the second time by title and referred to the Committee of the Whole.

Senate Bill No. 2, by Senator Ferryman, entitled: "An Act appropriating the sum of fifteen thousand dollars (\$15,000.00), or so much thereof as may be necessary for the printing of the Twenty-sixth Legislature and declaring an emergency."

The bill was read the first time, and on motion of Senator Orndorff, the rules were suspended, the bill was read the second time by title and referred to the Committee of the Whole.

Senator Reardon in the chair:

On motion of Senator Maxwell, the Senate resolved itself into a Committee of the Whole to consider Senate Bills Nos. 1 and 2.

The bills were considered in the Committee of the Whole, Senator Orndorff in the chair, and reported back to the Senate with the recommendation that they do pass.

On motion of Senator Orndorff the report of the Committee was adopted.

Senator Reardon in the chair:

Senator Orndorff moved that the reading of Senate Bill No. 1 had in the Committee of the Whole be considered the third reading of the bill and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 1 and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce, Wanamaker—45.

Absent or not voting: Senator Ferryman—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the Act.

Senator Lovejoy moved that the reading of Senate Bill No. 2 had in the Committee of the Whole be considered the third reading of the bill and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 2, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt,

Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wana-maker—45.

Absent or not voting: Senator Ferryman—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the Act.

On motion of Senator Drumheller, the rules were suspended, and Senate Bill No. 1 was ordered immediately transmitted to the House.

On motion of Senator Drumheller, the rules were suspended, and Senate Bill No. 2 was ordered immediately transmitted to the House.

Lieutenant-Governor Meyers in the chair:

The President appointed Senators Ferryman and Orndorff as Senate members of the Joint Committee to notify the Governor that the Legislature is in session and ready to hear the Governor's Message.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 9, 1939.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 1, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

HOUSE CONCURRENT RESOLUTION NO. 1

By Representative Reilly (Edward J.):

RELATING to notifying the Governor that the Legislature is organized.

Be It Resolved, by the House, the Senate concurring, that a committee of three members from the House, to be named by the Speaker, and two members from the Senate, to be named by the President of the Senate, be appointed to notify the Governor that the Legislature is organized in session and ready to receive any communication he may have to make.

On motion of Senator Maxwell, the resolution was adopted.

The President appointed as Senate members of the Committee to notify the Governor that the Legislature is organized, Senators Ferryman and Orndorff.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 9, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 1, also Senate Bill No. 2, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The President signed Senate Bills Nos. 1 and 2.

House of Representatives,
Olympia, Wash., January 9, 1939.

MR. PRESIDENT:

The Speaker has appointed as a committee from the House authorized under House Concurrent Resolution No. 1, to notify the Governor that the Legislature is organized and ready for business, Representatives Mackie, Wentworth and Jones (D. W.).

S. R. HOLCOMB, *Chief Clerk.*

Senator Ferryman notified the Senate that the joint committee appointed for the purpose of notifying the Governor that the Legislature is in session and ready to receive his message had called upon the Governor and that the Committee had been informed by the Governor that he would like to deliver his message at one o'clock on Wednesday, January 11, 1939, at a joint session of the House and Senate in the House Chamber.

The report of the Committee was ordered received.

President Pro Tempore Reardon in the chair:

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 9, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 1, also Senate Bill No. 2, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., January 9, 1939.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 2, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

HOUSE CONCURRENT RESOLUTION NO. 2

By Representative Reilly (Edward J.):

RELATING to a Joint Session to receive the message from Governor Clarence D. Martin.

Be It Resolved, By the House, the Senate concurring, that the House meet the Senate in Joint Session on Wednesday, January 11, 1939, at 12:30 p. m., in the House Chamber, for the purpose of receiving the message from Governor Clarence D. Martin.

On motion of Senator Drumheller the resolution was adopted.

At 3:00 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 1:00 p. m. tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

SECOND DAY

AFTERNOON SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, January 10, 1939.

The Senate was called to order at 1:00 o'clock p. m., by President pro tempore Reardon, pursuant to adjournment.

The Secretary called the roll, all members being present.

President Victor A. Meyers assumed the chair.

Reverend Claude H. Lorimer, of the First Christian Church of Olympia, offered prayer.

On motion of Senator Farquharson, the reading of the Journal of the previous day was dispensed with and it was approved.

The Secretary read:

SENATE RESOLUTION

By Senator Metcalf:

Resolved: That when the Senate adjourn today, adjournment be taken as a tribute to the memory of former Senator Louis A. Conyard, information of whose untimely death in an automobile accident yesterday has just been received.

On motion of Senator Metcalf the resolution was adopted.

Senators Metcalf and McMillan addressed the Senate in tribute to the memory of former Senator Louis A. Conyard as follows:

Senator Metcalf:

"I was shocked and deeply grieved at the news of this tragic accident. It so happened that I served with Louis Conyard during his term in the Senate. I grew to know him intimately and developed a very high regard and sincere friendship for him, as did every Senator fortunate to have his intimate acquaintance. I feel it is wholly fitting that the Senate pay this tribute. Our colleague, Senator McMillan, who comes from the district Senator Conyard represented, I feel will wish to offer his tribute. I yield the floor to Senator McMillan."

Senator McMillan:

"I was shocked upon reading in the morning paper that Louis A. Conyard, Assistant Corporation Counsel of the City of Spokane, was killed in an automobile accident near Ellensburg. I have had the pleasure of knowing Mr. Conyard for a period of some fourteen years and his was a friendship which I valued highly. His genial and sincere personality was one which made and held the friendship of others, and as a man he was thoroughly dependable. I am happy to join the members of this honorable body in this last tribute to our friend and former member Louis A. Conyard."

At the request of President Victor A. Meyers the Senate arose and paid silent tribute to the memory of former Senator Louis A. Conyard.

The Secretary read:

Senate Joint Resolution No. 1, by Senator Reardon: Relating to terms of office of county officers, repealing section 7, article 11, of the State Constitution.

The resolution was read the first time, and on motion of Senator Reardon the rules were suspended, the resolution was read the second time by title, ordered printed and referred to the Committee on Constitutional Revision.

At 1:20 o'clock p. m., the Senate, on motion of Senator Orndorff, adjourned until 12:30 o'clock p. m., Wednesday, January 11, 1939.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRD DAY

AFTERNOON SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Wednesday, January 11, 1939.

The Senate was called to order at 12:30 o'clock p. m., by President pro tempore Reardon.

President Victor A. Meyers assumed the chair.

Reverend Claude H. Lorimer of the First Christian Church of Olympia offered prayer.

The Secretary called the roll, all members being present.

On motion of Senator Farquharson, the reading of the Journal of the previous day was dispensed with, and it was approved.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, January 10, 1939.

To the Honorable, the Senate of the State of Washington:

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

Senate Bill No. 1: "An Act appropriating the sum of one hundred and twenty-five thousand dollars (\$125,000.00), or so much thereof as may be necessary for the expenses of the Twenty-sixth Legislature and for expenses incurred in completing the work of the Twenty-fifth Legislature, and declaring an emergency."

Senate Bill No. 2: "An Act appropriating the sum of fifteen thousand dollars (\$15,000.00), or so much thereof as may be necessary for the printing of the Twenty-fifth Legislature and declaring an emergency."

Very truly yours,

RICHARD HAMILTON,
Secretary to the Governor.

At 12:40 o'clock p. m., the Senate retired to the House Chamber to meet with the House in joint session to receive the message of the Governor.

JOINT SESSION

The Sergeant-at-Arms announced the arrival of the Senate at the door of the House.

The Speaker invited the Senators to seats within the House, and the President of the Senate to a seat at the Speaker's desk.

The joint session was called to order at 12:45 p. m.

The President of the Senate presided.

The Secretary of the Senate called the roll of the Senate, and all Senators were present.

The Clerk called the roll of the House, and all members were present.

The President announced that the joint session was called for the purpose of receiving a message from the Governor.

The President appointed the following committee to notify Governor Clarence D. Martin that the Senate and House were in joint session and were ready to receive his message: Senators McMillan and Bloomer, and Representatives Butler, Cowan and Kinnear (Roy J.).

The committee retired.

The special committee announced the arrival of His Excellency, Governor Clarence D. Martin, and escorted him to a seat upon the rostrum.

The President spoke as follows:

"Your Excellency, the Twenty-sixth Session of the Legislature is convened in Joint Session. We are ready and anxious to receive your message.

"Members of the Legislature, and Ladies and Gentlemen: His Excellency, Clarence D. Martin, Governor of the State of Washington."

**GOLDEN JUBILEE ADDRESS AND MESSAGE OF GOVERNOR CLARENCE D. MARTIN
TO THE LEGISLATURE**

Mr. President, Mr. Speaker, Senators and Representatives, and you, My Fellow Citizens, who have pride and faith in our great State of Washington:

Fifty years ago our beloved State of Washington was born.

So today, in honor of that memorable event, and with profound gratitude to the parents and their pioneering neighbors who made possible the things we now have and enjoy, I should like to speak briefly of the progress and future of our distinctive commonwealth before presenting my formal message on the condition of the state and its government.

Some of our splendid elderly citizens remember July 4, 1889, when seventy-five sturdy, purposeful pioneers gathered here in Olympia to draft a constitution for a new state. They worked long and hard, differing and disputing, as men will, but they were inspired by the same purpose, and they finally accomplished it—a constitution for a state of the highest principles of Americanism and democracy, a charter that declared Washington forever to be the abiding place of spiritual freedom, tolerance, charity and good will. This document was ratified wholeheartedly by the people on October 1, 1889. Then, on November 11, 1889, President Benjamin Harrison proclaimed Washington a sovereign state, and three hundred thousand men, women and children rejoiced, and joyful celebrations were held in the then distant Spokane area, amid the rolling hills of the Palouse and Walla Walla, in the still unreclaimed valleys of Yakima, Chelan and Okanogan; in the sparse settlements of Vancouver and the Columbia river, and all up and down the evergreen slopes and the lowlands of the Puget Sound country. And so, my friends, with pride and confidence, and with the cheering shouts of the pioneers, Washington took a place in the great cavalcade of American states.

Today we may proudly agree that Washington kept faith and measurably fulfilled the hopes and dreams of her founding pioneers, and kept pace with the most progressive of her sister states.

In 1889, a backwoods territory of straggling settlements—the lawmakers plodding along mud-splashed paths to meet in dimly lighted frame buildings.

In 1939, a proud state of 1,600,000 spirited Americans, a state of importance in industry, agriculture, commerce and culture—a solid cornerstone of the United States—her legislators, you men and women who should glow with pride, meeting in a \$14,000,000 capitol that is outranked by no state capitol in the union, working in two legislative chambers that are not excelled by any legislative halls in the world.

Today, Washington stands first in the production of lumber; foremost in the production of wheat, dairy and poultry commodities, quality fruits and other products of the earth, the fields and the hills.

Today, Washington has the finest of highway systems—modern, broad highways running into every part of the state, overcoming mountains, bringing remote communities near to all.

Today, Washington stands foremost in citizenship and culture—first in public education, high school pupils, literacy and literature reading.

And today, as always, the people of Washington need not yield to any state, region or group of people in devotion to the ideals of Americanism, loyalty, tolerance, good will, and unshamed respect and reverence for religion and the things that are God's.

But such a remarkable record of progress within the span of fifty years should not, and must not, be ascribed only to human minds and human hands. Nature provided an exceptionally favorable setting for this noteworthy progress. Rugged snow-capped mountains, clear tumbling streams, sky blue lakes, deep and calm landlocked salt waters, rolling hills, timbered hillsides, rustic countryside—all yielding abundantly of their peculiar products, yielding enchantment and inspiration, and a healthy environment for all. Our climate is ideal, devoid of extreme temperatures. So far we have no reason to fear elemental devastation—no earthquakes crumble our buildings, no tornadoes twist and carry away our homes, no hail-storms destroy our crops. Truly, because of nature's kindness, everyday life is more pleasant in Washington.

My friends, we might easily leave these things go unnoticed, but it is manifestly appropriate that this record of progress and the blessings of Providence should be noted and observed. Therefore, as Governor, I am proud to proclaim this year of 1939, which marks the fiftieth anniversary of statehood, as Golden Jubilee year in the State of Washington.

I suggest, too, that this Legislature should set aside a day for a joint session to formally open the Golden Jubilee observance, not only for your own inspiration, but as an example and incentive for all public authorities and good citizens to hold similar observances in their respective jurisdictions and communities. It might be well, if you decide on a session of commemoration, that you make some recognition of the fifty native sons and daughters among you—the largest number of born Washingtonians to ever sit in our Legislature. I do not make this suggestion without heartfelt appreciation of the pioneers and other members of this Legislature, but simply because a recognition of the native members might tend to impress our young people with the fact that they are of the first native generation to fully inherit this rich, unlimited heritage that is Washington, and the responsibility of developing and protecting it.

Moreover, all of us might well make it a point to invite friends and good citizens of all parts of the country, and especially our neighbors of British Columbia, Idaho, Oregon and California, to visit us sometime during the year of the Golden Jubilee—not only to enjoy the hospitality of an open-hearted citizenship, but also that they, too, may realize that it is indeed a privilege to live, and build, and grow in the State of Washington.

We should realize, and those who come to see us should know, that great as our progress has been, Washington's full bloom and glory still are ahead of us, that her destiny still is in the building. We have timber to cut—valleys to irrigate—minerals to mine—raw materials to process—commerce to expand—cheap electric power to utilize—Grand Coulee—Columbia Basin—Bonneville—Skagit—Roza. In fact, we have all the essentials to the building of a Washington far beyond the dreams of the pioneers—a Washington of still greater blessings to all of us who are so fortunate to live within her borders.

MESSAGE TO THE LEGISLATURE

Now, my fellow citizens, we are meeting under economic and social conditions that are both restrictive and encouraging, making it necessary for all of us to be understanding and tolerant, and yet frankly and firmly prudent. It is in this spirit that I greet you, that I report on the condition of the state, and pledge to you my wholehearted cooperation in all of the problems, whether small or difficult, which will confront you during this session of the Legislature.

REVENUES FAIL TO COME IN

It is true that just now prospects are somewhat brighter, that there are many predictions and indications of a better year ahead—and, of course, all of us are hopeful that these signs will not fail—but I think it is my duty to remind you, and to warn you, that when we met two years ago we were cheered by even brighter prospects. Two years ago, economic conditions were decidedly on the upgrade, and we believed, as we had a right to believe, that the improvement would at least be maintained. Consequently, we made liberal provision for old and new services. But economic conditions slumped again, and today all of us realize that we banked on some revenue that never came in.

BEST EFFORTS PROVE INADEQUATE

On the whole, 1937 turned out to be a pretty fair year. Industry, production, marketing and business showed definite gains over estimates during the first six months. But conditions then changed for the worse. This downward trend continued during nearly all of 1938. Farm prices stayed down. Lumber mills and other industries were unable to find profitable markets. Business fell off all over the state. And despite determined efforts by the federal government to bolster conditions with public works and other forms of help, 1938 proved definitely to be a backward year for the State of Washington. Returns for December show gains over the comparatively poor December of 1937, and these are hopeful signs, but the gains are not sufficient to justify any of us in tossing our hats into the air.

Naturally this reverse in economic conditions struck a hard blow at state revenues, which, as you know, now are dependent largely on industry and the flow of general business. Those of you who were here two years ago will recall that allotments and appropriations were based on the estimate that the 1935 revenue act would yield from \$53,000,000 to \$55,000,000 during the biennium, which seemingly was justified by the upswing in business at the time. But because of the failure in receipts, which a few months ago dropped to nearly 20 per cent below estimates, we shall be lucky if the total income reaches \$49,000,000. Other sources failed, too. For instance, several of the counties have not paid to the state more than \$1,300,000 due for the care of indigent patients in the three mental hospitals.

MAINTAIN SERVICE DESPITE CONDITIONS

Yet, in spite of this failure in revenues, we have managed to maintain and keep going in full measure every established function and service of state government, and also to do some helpful things that were not specifically mentioned or defined. In general relief, we extended far beyond expectations to meet the emergency that was created by the striking setback to industry and general business.

It was at this stage, you may remember, that I was besieged with "demands" for a special session of the Legislature, accused of "holding out on the poor people," and threatened with recall and other political punishment. I refused to call a special session for three reasons:

First, there was no pot of gold, no stored funds in Olympia that could be "released" to anybody, poor or rich.

Second, a special session could not do any more for any group of people than was being done, would create turmoil and uncertainty and possibly either plunge the state into debt or burden the people with new and heavy taxes, or both.

Third, I did not believe that those who were making the "demands" or their representatives in the Legislature truthfully reflected the sentiment and wishes of the people as a whole, and I felt that the people would first want to speak in the legislative elections.

PEOPLE SPEAK THROUGH ELECTION

That is the main reason why I appealed to the people to express themselves before the primary by encouraging men and women to file for seats in the Legislature who would represent them as they wished to be represented, and to serve the state as a whole. Now that I have had a chance to meet most of the new senators and representatives of both political faiths, and talk with them, I am satisfied that the people did want a change in the membership and spirit of the Legislature before risking a special session, or any session. Of course I still shudder when I think of that flight through a stormy night from the national capital, but all's well that ends well, and I am only glad that I returned in time.

I think it is important, and I know it will be helpful, for us to take some measurements before determining what can be done, and how much should be done—safely—by this session of the Legislature.

DEMANDS FOR STATE SERVICE INCREASE

For one thing, we should remember that the total cost of state, county and city governments for the comparatively poor year of 1938 is practically the same as in the good year of 1929—nearly \$100,000,000 for each of these years. But, while the cost to the taxpayer today is no higher than in 1929, the state government today is doing things and extending services that were unknown to our state government in 1929—such as common schools, general relief, old age assistance, pensions for the blind, aid to crippled and dependent children, and other similar things for the benefit of the underprivileged and helpless. Of course, much of this work is due to the cooperation and guidance of the federal government, but the taxpayers of this state are bearing a substantial part of the cost.

Probably the main thing to bear in mind is this: The taxpayers of Washington cannot spare or contribute \$100,000,000 as easily today as in 1929, because, in comparison with 1929 and other recent years, private reserves are diminished, industry is down, payrolls are down, business is down, productive wealth and private income are down.

Three or four graphic comparisons will make this clear:

INCOME OF CITIZENS SHRINKS

Nature continues to be kind and do its part for Washington, yielding in 1938 a record wheat crop of nearly 52,000,000 bushels, and all other crops of the fields substantially above the ten-year average—but the bumper crops are producing financial returns far below normal and far below profit. For example, the market value of the 1937 wheat, fruit and field crops was \$101,000,000, while the somewhat larger wheat, fruit and field crops of 1938 now have a market value of \$90,000,000. This means a definite loss of \$11,000,000, or more than ten per cent, in the income of the farmer.

In 1929, the five major operations of private industry had a payroll of \$282,000,000, while in 1938 the same operations had a payroll of \$228,000,000.

In 1929, Washington's productive wealth or private income totaled more than \$1,000,000,000.

In 1938, Washington's productive wealth or private income dropped to less than \$700,000,000.

REQUESTS FAR EXCEED POSSIBLE REVENUES

Notwithstanding this condition, or perhaps because of it, the proposals, requests and demands for state aid and state funds total larger than ever in the history of the state. Demands for different kinds of pensions, requests for the schools, requests for the cities, proposals for extension of services, for new services and new projects total from \$40,000,000 to \$50,000,000 more than the available and prospective income. In other words, if all these things should be approved, you members of the Legislature would have to impose additional taxes to the extent of \$40,000,000, or more. The friends and promoters of these proposals and projects have been bearing down on the Governor, and they will be down to see the Legislature. Many of them will come down to campaign for spending, but few of them will be ready to campaign for the essential revenues.

TWO COURSES ARE OPEN

Therefore, you and I, meeting here as the chosen and trusted representatives of all the people, pledged to work for the good of the state as a whole, are confronted by this problem:

Shall we stand on the present program, perhaps with some tax revisions and adjustments based on experience and to meet changed conditions, and declare we must get along within our income?

Or, shall we let down the bars, pass freely the different proposals, requests and demands, and impose new taxes or debts, or both, to pay the bill?

Now, as you know, I am favorable to more liberal assistance to the elderly and to the different phases of social security, being one of those who pioneered assistance for the aged, pensions for the blind and help for all underprivileged children. You know, too, that I am favorable to education, that I believe in the schools, that I am proud of our children, and am willing and determined to help provide the best possible education for

all children, poor or rich, and that I want to see Washington always stand foremost, if not first, in public education. Likewise, I am favorable to some of the other proposed projects and services. But, frankly, I realize that economic conditions do not justify, and cannot sustain, the utmost in these things at this time. I am confident that most of you share these sentiments with me.

CONDITIONS MUST CONTROL

Frankly, I feel that conditions must control, not the heart. No matter how much we want these things, no matter how much you and I may favor some of them, the fact remains they cannot be had unless they are paid for, and paid for out of the taxpayer's pocket. Where can you turn to get the money?

You can't get it from the man who doesn't have a job.

You can't take more taxes from the wheatgrower on 40-cent wheat.

You can't take it from the dairyman, the fruitman, the poultryman, the berryman—they are up against it, too.

You can't take much more, if any, from industry which everywhere is far below normal and struggling to meet payrolls and other obligations.

You can't turn to the businessman—heaven knows he is having his troubles, and is neither in the condition nor the mood to stand much more tapping.

No, I am afraid we must simply admit that the taxpayers just can't take it.

OFFER BUDGET WITHIN REVENUES

Because of these beliefs, and for these reasons, I am submitting a program and a biennial budget for \$176,000,000, including federal matching funds, in which the ordinary operations of government are well within current revenues. This program embraces equalizations and adjustments that should be made in the light of administrative experience.

TIME TO HOLD STEADY

For just a moment I should like to divert to appeal directly to the men and women who are coming down to press for those things which are of their special interest. I can understand how men and women can become honest and ardent crusaders for the schools, and even for other projects and services of less general importance, and I appreciate their devotion. I feel, however, that they should take note of the times and the welfare of the state. There is a time to press forward, and a time to hold steady. My belief is that this is the time to hold steady on expenditures, the time to refrain from making obligations and commitments that are not absolutely necessary, not only to keep from imposing additional hardships on the already burdened taxpayer, but to make certain that we can save and sustain the institutions and services we already have established. Therefore, I appeal to the different groups to modify their requests, forget their demands, and join with the Legislature and the Administration in a sincere effort to put our house in the best possible order for the benefit of all the people of the State of Washington.

When the Legislature met in January, 1937, we had just gone through a rather long period when there had been smaller state expenditures for direct relief than at any time since we started in 1933. We had reasons to believe, because of the decided betterment in economic conditions and implied federal assurances, that there would be employment between private industry and WPA for all able-bodied men.

OPTIMISM PROMPTS LIBERAL SOCIAL SECURITY PROGRAM

With these encouraging conditions and assurances to inspire us, we jointly enacted a social security program that, in proportion to population, stood out as the best-balanced and most liberal program of any state in the union. This federal-state-county program totaled \$42,000,000—making appropriations of \$20,000,000 for old-age assistance, \$5,000,000 for crippled and dependent children, \$1,000,000 for the blind, \$5,000,000 for institutions and help, and \$11,000,000 for physically handicapped and unemployed persons.

All of us, including members of the Legislature, assumed that industry and business would continue on the upgrade to provide the necessary revenues to sustain this program.

But a break came soon after the Legislature adjourned when the WPA released 13,000 workers in this state. By September we began to feel a falling off in private

employment. By November practically all of the lumber operations had closed. In December the contract at Grand Coulee was finished and practically all of the 6,000 workers were let out.

UNEXPECTED RELIEF LOAD OVERTAXES RESOURCES—ASSISTANCE REACHES THOUSANDS OLD AND YOUNG

This created an emergency. We found that people were living from day to day and did not have a back-log of savings such as we found in our experience at the beginning of the depression. Moreover, many people had become accustomed to relief and no longer hesitated to turn toward relief, and it became increasingly difficult to determine whether applicants were actually in need, and, as a consequence, applications increased for all other forms of relief, such as old-age assistance, medical care and hospitalization. The peak of relief was reached in February when the state was providing for 195,000 persons, and the state carried this heavy relief load from October to April. It was not until April 1 that WPA began to take over some of this load. Notwithstanding these unexpected and abnormal demands, the social security budget was followed closely in all respects with the exception of the public assistance provision which was exceeded by nearly \$6,000,000. Meanwhile, we are providing 38,000 persons with old-age assistance up to \$30 a month, averaging \$22.12; providing monthly pensions for 1,025 blind persons up to \$40 a month, averaging \$31; providing for 14,400 crippled and dependent children, and hospitalization for 5,000 persons.

And yet there were those who complained and shouted that we were "holding out" and not spending enough money for relief.

More recently, our social security program was given a severe blow—in fact, it might easily be a death blow—when our Supreme Court, ruling on an appeal by a Mrs. Conant of Spokane, upheld the claim that all persons attaining the age of 65 years were entitled to a pension of \$30 a month, to be handed out willy nilly, regardless of need and regardless of the ability and willingness of their sons, daughters and relatives to provide for them.

FEDERAL COOPERATION REQUIRES NEED BASIS

The court held that it was the intention of the 1937 Legislature to make such payments—notwithstanding the fact that there are 40,000 Mrs. Conants in Washington, which alone, if all should present their claims on this basis, would require \$28,000,000 for the biennium, and for which amount the Legislature provided neither appropriations nor revenue.

Thereupon, the Federal Social Security Board formally served notice on the state that it would not match funds on such a basis, but only on the basis of need.

It is imperative, therefore, that you meet this situation with an emergency enactment to correct this situation.

Perhaps this misunderstanding over your intent on old-age assistance and other difficulties over varied expenditures under the social security program during the last two years, and especially during the emergency of last winter, are due in a large measure to the imprudent spirit and rather elastic provisions in the social security code. But I doubt if it is fair to blame anybody in particular, or indulge in recriminations of any sort, because, after all, two years ago all of us were under the spell of improving conditions and brighter prospects and passed the extremely liberal, long-range program with considerable pride and enthusiasm.

In other words, and to be frank, we must admit that our social security code was too freely drawn and too freely phrased, permitting misinterpretations, opening the way to a wide variety of demands and experiments—too extended to meet the downward break in economic conditions, and too embracing to be sustained by a diminishing or even stationary state income.

FAVOR LIBERAL PROVISION FOR NEEDY ONLY

But I believe that most of us will agree that, if we are to save and maintain the social security program for the needy and the deserving, the code must be revised to keep out those who are not in need, to keep out those who are not disposed to try to help themselves, to keep out those who deliberately set out to live off the government or their neighbors. I want to liberalize, and I know most of you would rather liberalize than restrict, but I want to liberalize for the needy, and the needy only. That is the kind of liberality I favor and urge upon this legislature.

NEWNESS JUSTIFIES FREQUENT REVIEW

Of course, the social security code should be revised. It should specify and define functions and services, and limit them; be based on need and require family responsibility, and should be limited to the ability of the taxpayers to pay the bill. Moreover, I agree with the suggestion that, because of the newness of the operation and its peculiar nature which is sustained by the spirit of "give," to make it subject to a periodical review and check by a special committee of budget control.

You may, of course, find it too difficult to revise and patch up the present social security code, and find it easier and more desirable to rewrite it from top to bottom. If you do, and decide to formulate and enact a new social security code, I'll be glad to cooperate and go along with you, provided it begins with the word "need" and ends with the word "need."

RETAIN DISTINCTION BETWEEN INSURANCE AND RELIEF

It has been suggested, and you may find it advisable, to separate the division of unemployment compensation from the Department of Social Security and have it function independently under direct management. There are good arguments on both sides of the proposal, but I am impressed by the point that unemployment compensation should be regarded as an "earned benefit," should not be construed as a dole, and should not be involved in the relief system. I think it is important to maintain the distinction, primarily to preserve the morale and self-respect of the man who works, wants to work, and finds himself out of employment temporarily. You should give this proposal your best consideration.

Our common schools, which are close to the hearts of all good citizens who are concerned with the progress and future of Washington, loom as another major problem to increase the difficulties of this session of the Legislature.

Two years ago the appropriation for the common schools was \$30,500,000, but only \$27,100,000 will be available from income at the close of the biennium. In addition, under discretionary powers given to the Governor, a total of \$600,000 was allotted for district equalizations, the monthly allotments being suspended only after economic conditions broke downward and state revenues fell off accordingly.

MAINTAIN PRESENT BUDGET FOR SCHOOLS

For the coming biennium, the budget again recommends an appropriation of \$30,500,000 for basic support and also includes \$2,000,000 for district equalization. Of course these appropriations will be contingent on income, but the indications are, because of adjustments among other functions depending on the General Fund, that the schools will actually receive a substantial increase over their total receipts in the closing biennium.

ALL MUST SHARE THE UPS AND DOWNS

It is possible, however, that even with this increase some of the school people will profess disappointment. Some of the most sincere and ardent school proponents have been urging, and undoubtedly will continue to urge, appropriations so large that they simply are out of the question under prevailing economic conditions. They also propose to ask for a deficiency appropriation of nearly \$2,500,000, the difference between the school appropriation and their share of the actual income during this biennium. Speaking as a friend of the common schools, I ask them to forego this request. There just is no revenue for any deficiency at this time. Moreover, recognition of such a deficiency claim would be unfair to others. We might just as well consider a deficiency for the man who wanted to work, but had no chance to work; for the farmer who sold his products below cost and falling still farther behind; for the industrialist who lost ground last year, and for the businessman who went deeper into the red. No, I do not believe it would be proper to recognize any function of government as having a preferred claim on the general income, and I believe that even our schools must share the ups and downs of economic conditions and government.

STRICT ECONOMY SHOULD BE WATCHWORD

Speaking again as a friend of the schools, I think it is imperative that directors, superintendents and others in responsible positions see to it that strict economy is practised all down the line. Thrifty management must be the watchword at this time. I know it would be a lot easier to provide necessary equalization for the poor districts

if it were mandatory on all to first cut down operating costs and to utilize their own resources to the utmost before turning to the state for help. It would be folly for us to blindly provide equalization funds from the top and disregard the leaks at the bottom.

For many years we have been trying by piecemeal methods to get the administration and financing of our common school system on a sound basis. Believing that a comprehensive study would enable us to plan more intelligently for the progressive development and stable support of our schools, I asked the Planning Council to make a thorough and impartial survey of the system as it has grown through the years.

The report of the Council has been placed in your hands. I commend to your careful consideration three of the basic recommendations of this report:

First, the plan for the reorganization of school districts which, if carried into effect, will bring about larger and more economic administrative units and will permit better equalization of educational opportunity, with no increase, and probably a substantial savings, in over-all cost.

CONDITIONS WARRANT TRIAL OF VOCATIONAL EDUCATION

Second, the plan for extending and broadening vocational education and for limited state aid to junior colleges during an experimental period of six years. This recommendation is designed to permit the development and testing of the expanding of our educational program into these new fields for which there is such a strong popular demand and evidently a serious need to meet modern educational formulas.

Third, reorganization and strengthening of the State Department of Education and of the county educational administration that these important agencies may function more effectively.

This report on our schools represents much diligent and faithful work by the nine members of the Washington State Planning Council, created by the 1933 Legislature. These public-spirited citizens have served us usefully in several large and difficult problems, and I am glad to make this acknowledgement of their splendid contributions to the welfare of the state.

PLANNING COUNCIL VALUABLE AGENCY

I suggest, too, that this Legislature might well take advantage of the facilities and spirit of the Planning Council and its staff, all of whom I know stand ready to supply impartial, factual information, and to conduct any research you may request. I am sure you will find the Planning Council useful as a fact-finding agency.

I am pleased to report that, with the exception of a few buildings, which still are under construction, we have completed a substantial building program; and that, by and large, our pressing needs now are practically fulfilled.

We have virtually completed twelve new buildings at the different state institutions, including a new custodial school at Buckley, a research hospital for Buerger's disease at Soap Lake. These buildings cost \$1,740,000, of which \$635,000 came in federal grants.

STATE WARDS GROWING PROBLEM

With the completion of this program, our institutions will be in the finest shape in the history of the state and comparable to those of any state in the union. We have, however, a growing problem in connection with our institutions. Today we have the record inmate population of 11,400. This represents a startling increase of 1,100 in two years, mostly in the mental hospitals and penitentiary—the increase being equivalent to another institution and adding a biennial cost of more than \$500,000.

Our schools of higher learning are completing construction programs totaling \$2,600,000, of which \$1,000,000 was contributed by the federal government.

LOCAL UNITS RECEIVE LIBERAL STATE AID

In addition, the state participated with local units of government in 167 projects totaling \$9,630,000, of which \$4,375,000 was contributed in federal funds, \$3,822,000 in local funds, and \$1,432,000 in state grants. Ninety-eight of these projects were schools. The others were hospitals, parks, airports, community buildings, some flood control and miscellaneous items. State contributions for these projects were based on the provision for work relief.

We completed and occupied the Public Lands-Social Security unit to the capitol group, costing \$783,000, since you adjourned two years ago; and just recently broke ground for a companion building, but yet unnamed, and which will cost more than

\$900,000; and are starting a testing laboratory for the Department of Highways. The capitol grounds are being improved with paving around the Temple of Justice, as well as with other minor betterments. These improvements were undertaken with the aid of federal funds, are to be finished by January 1, 1940, and should be capable of taking care of the space requirements for years to come.

NECESSARY WORK UNDER WAY

For several years, the matter of repairing the old downtown Capitol structure has been before the Legislature. It seems to be the consensus that we should not abandon this historic building, located in the heart of the capital city. Since you were here last, certain emergency repairs, involving the roof and heating plant, have been necessary. We applied to the P. W. A. for a grant and were successful in receiving \$90,000 toward an estimated \$200,000 program on this building. This involves the modernization of the plumbing, ventilation and lighting, and which we cannot treat exactly as an emergency. I would ask that you give approval to the work that has already been undertaken and authorize the carrying out of the full program immediately and in order that we may avail ourselves of the federal money that has been provided.

BROADER SCOPE FOR SOAP LAKE HOSPITAL

Two years ago the Legislature made an appropriation for construction of the Buegers disease hospital at Soap Lake without defining the scope or qualification for admission, except to limit treatment to war veterans. It was commonly assumed that this rather rare disease was confined to war veterans.

Some investigation in the meantime has disclosed that forty per cent of the recorded cases are among non-veterans. It would seem advisable, therefore, that the facilities of the hospital be opened to all those afflicted. A bill defining the general scope of the institution and providing for its management has been prepared for presentation as you may direct.

WESTERN CUSTODIAL SCHOOL UNITS ARE URGENT

Two years ago you also authorized the construction of a new institution to be known as the Western Custodial School, and a site for this institution was selected near Buckley in Pierce county. Primary service buildings and ward space to accommodate up to 300 children are nearing completion and will be ready for occupancy within four months. This will permit admission of the most urgent and distressing cases now temporarily cared for in the counties. Additional units at this institution to care for the waiting list now pressing for admission represent our most urgent building need.

CAPITAL OUTLAYS BE MADE CONDITIONAL

While the completed building program has taken care of our most pressing needs, some expenditures for capital outlays will be necessary during the coming biennium, and in order that the state may be in a position to cooperate with federal agencies in the event funds are allotted to states for stimulating reemployment. There is included in the budget certain recommendations for capital outlays, which, however, should be made subject to written approval by the Governor. Obviously these expenditures will be subject to the availability of funds through savings that may be possible in operating budgets and to any increase in revenues through an upturn in business.

Creation of the Washington Toll Bridge Authority by the last session of the Legislature proved to be timely and helpful.

This authority moved to take over for the state the Bremerton toll bridge, as you directed, and encountered a condemnation judgment of \$354,000, or \$29,000 more than you provided, and borrowed \$40,000 to complete the deal. Tolls were continued to meet the loan and deficiency, and I am pleased to report that the authority now is in a position to make it a free bridge and will declare it free on the twenty-eighth day of this month.

Two great toll bridge projects were worked out and started under this authority—the Narrows bridge at Tacoma and the Lake Washington pontoon bridge at Seattle.

BRIDGE PROGRAM WILL AID ENTIRE STATE

Construction is under way on the Narrows bridge, which means the beginning of the fulfillment of a dream of 35 years, and which will bring together Tacoma and the Kitsap peninsula. Moreover, it will facilitate business traffic and pleasure travel between the Tacoma gateway and the Olympic peninsula. All of us who had anything to do with this project must share the satisfaction of the people of Pierce and Kitsap counties.

Only a few days ago it was my privilege and thrill to officiate in the breaking of the ground for the Lake Washington pontoon bridge, which will be distinctive among the bridges of the world. With the completion of this bridge and its approaches, Seattle, our metropolis and great trading center, will have practically a straight traffic artery to the Cascades, and thus will be brought considerably nearer to the productive fruit, grain and industrial areas of Eastern Washington. I feel that all of us who have pride in Washington should regard this bridge as of statewide benefit.

These two projects will cost \$15,000,000, financed by federal grants, a federal loan and a public bond issue. They will provide more than 5,000,000 man-hours of direct employment, and twice that amount of employment in related private industries.

FISHING INDUSTRY REQUIRES ATTENTION

Once again I warn you that all is not well with our fisheries, which constitute our third largest industry and source of income, and that, unless you take definite steps to revise some of the restrictive provisions, we shall continue to lose ground in the unending fight for rehabilitation and endanger the future of the industry. Our salmon are not only an industrial resource, but also a great recreational asset, and this problem concerns both the commercial fishermen and sportsmen.

It is fortunate that we have in this state a great public sentiment in favor of salmon conservation, which was shown by the widespread approval of Initiative No. 77 four years ago. But it is unfortunate that this measure, while beneficial in intent, is crippling the financial program on which our fisheries conservation is based and by permitting our neighbors, Oregon and British Columbia, to take a greatly increased share of the salmon at the expense of the State of Washington. Figures on the Fraser River and Columbia River fisheries show alarming loss to the wealth and industry of this state, without any offsetting gain in conservation.

In 1933, Washington packed 126,000 cases of sock-eye salmon, valued at \$1,340,000. British Columbia packed 52,000 cases, valued at \$546,000.

In 1937, Washington packed 60,000 cases of sock-eye salmon, valued at \$960,000. British Columbia packed 100,000 cases, valued at \$1,600,000.

On the Columbia River in 1933, Washington took 8,000,000 pounds of Chinook salmon. Oregon took 10,000,000 pounds.

In 1937, Washington took 5,000,000 pounds of Chinook salmon. Oregon took 13,000,000 pounds of Chinook salmon.

SATISFACTORY PROGRAM POSSIBLE

Furthermore, there is a heavy loss of pink salmon in lower Puget Sound waters, estimated at 1,250,000 salmon each odd year. This is due to the fact that the initiative deprived the director of discretionary control over these waters.

I suggest that your fisheries committees immediately consult with the director, commercial fishermen and sportsmen in a determined effort to work out a program satisfactory to all—which naturally will be beneficial to the state as a whole.

SHELLFISH INDUSTRY ALSO IN JEOPARDY

I suggest, too, that you consider the future of the shellfish industry by providing authority for the Director of Fisheries to regulate the taking of all species. Certain classes of shellfish are nearing the point of extermination, and I feel that definite control is needed without delay.

Recently our Fisheries Department proposed a program for the preservation of the salmon runs at the Grand Coulee Dam, which was designed to save a six million dollar industry on the Columbia. I regret to advise you that the United States Bureau of Reclamation has not yet accepted the program nor established a substitute, and the delay is jeopardizing one cycle of the run. This would be a permanent loss to both commercial and recreational fishing. I mention this in the hope that your fisheries committees will immediately take up this matter for the protection of the state.

NEW RESOURCE—NEW OPPORTUNITY

You will be interested to know of a new and marked development in our fisheries industries—the development of tuna and pilchard fishing. Within the last two years, our fisheries have taken 4,000,000 pounds of tuna with a value of more than \$250,000, and have taken enough pilchard to produce \$500,000 worth of oil and meal. These are new branches of the fishing industry, capable of great development, and should be guarded and perpetuated for the greatest public good.

COMPENSATING TAX PROVISION NEEDS CLARIFICATION

Our 1936 revenue act has been working with reasonable satisfaction to all, but recently it was crippled rather seriously when our Supreme Court ruled out the feature known as the "compensating tax," basing its decision on legislative intent. This ruling, unless reversed or remedied by legislative action, will make the state subject to refunds totaling more than \$1,000,000 and an annual loss of approximately \$800,000. The purpose of the compensating provision was to permit application of the sales tax to goods purchased outside of Washington, not only as a matter of revenue, but also as a protection to merchants of Vancouver, Walla Walla, Clarkston, Spokane and other border communities. Therefore, you should consider this as an emergency matter, immediately reenact this provision and declare your intention in definite and unmistakable words.

REMOVE EXEMPTIONS IN SALES TAX

In my veto message of section six, Senate Bill 226, passed by the last Legislature, it was my belief that business was on the upgrade and that the sales tax with the foodstuffs exempted would yield sufficient revenue to carry on the business of the state for which the tax was intended. But the operation of the food exemption clause has proven difficult, if not impossible, of proper administration, permitting evasions, and imposing a hardship and extra costs on the many merchants who are striving honestly to enforce it. Moreover, it has deprived the state of revenue badly needed for necessary functions, and without substantial benefit to the consumer. These points have been impressed upon me by members of the State Tax Commission, who, at my request, conducted a thorough study to determine the practical operation of the revenue act and the exemption clause. Therefore, and realizing that many members sitting here voted for the removal in good faith, I shall be pleased to cooperate with you in again considering this subject.

INCLUDE FORTY-MILL LIMIT IN CONSTITUTION

Our people have spoken frequently and definitely in favor of the 40-mill tax limit on property, being adopted by the initiative from time to time, and I think it will be well to ask the people to make this a fixed principle in the constitution. I do not believe that this Legislature, or any subsequent Legislature, would undertake to disturb or remove the 40-mill limit, and I am satisfied that our taxpayers need have no worry on that score. It appears, however, that it would be reassuring to outside investors and builders, and helpful to us in seeking outside capital for development to let it be known that the 40-mill limit is a part of our constitution. An amendment with a provision flexible enough to permit periodic revisions of the allocation of the 40 mills to meet changing conditions, will be given to you and I trust you adopt it for submission to the voters in 1940.

SECURE PUBLIC EXPRESSION ON TAX EXEMPTION FOR UTILITIES

For many years there has been a widespread dispute and discussion over the tax exemption of municipal property, especially municipal utilities and other similar property which compete with private industry and business, and it may be timely to put this question up to the people. Of course, you know the arguments on both sides, and I am not disposed to discuss the merits at this time, but I do suggest that you adopt a suitable amendment to the constitution for submission to the people in the next general election.

CITIES NEED TEMPORARY FINANCIAL ASSISTANCE

Undoubtedly all of you have been advised of the financial difficulties confronting our cities, and the appeals of mayors, councilmen and others for substantial state help. When these appeals were made earlier this year I asked the State Tax Commission to make a survey of the general financial condition of the larger cities, and, after con-

cluding this survey, the commission reported that the cities needed from \$3,000,000 to \$4,000,000 to properly render the essential services. Of course I do not believe we should attempt to bail out the cities because of any difficulties due to past extravagances or poor management, nor seek to equalize because of the lack of uniformity in services rendered and taxed, but, in view of the impartial findings of the commission, I feel some consideration should be given to the needs of the cities. I believe, however, that consideration should be limited to the basis of actual needs for 1939 and 1940, with the idea of giving them an opportunity to continue the essential services of city government without incurring deficits in their operating budgets. This problem will be pressed upon you and invite your serious attention.

Some dissatisfaction over telephone rates and service is being expressed, especially in the Seattle area, and requests are being made for a statewide survey of the valuations, rates and service of the telephone industry in Washington. While the Department of Public Service already has made rather extensive investigations, and has considerable information available, it has neither the funds nor facilities to go into all parts of the state at this time. Therefore, it might be well for you to give this matter some thought to determine whether a statewide survey should be undertaken.

UTILITY RATE CHANGES BENEFIT THOUSANDS

In the regulation of other public utilities the Department has continued to follow the policy of disposing of regulatory problems through informal proceedings whenever possible, thus saving the expense and loss of time incident to large scale formal proceedings. During the biennium, approximately 750 utility complaints were adjusted through informal proceedings to the satisfaction of all parties concerned. It is gratifying to note that in this state where utility rates are already considerably lower than in the nation generally, the Department's informal proceedings during this biennium thus far have added an additional \$350,000 annual savings to the rate-payers. Rate reductions during the past four years exceed rate reductions effective during any previous like period in the history of regulation in this state, resulting in rate savings on the average of \$1,500,000 yearly.

FORESTRY PROBLEMS REQUIRE ACTION NOW—PLEDGE COOPERATION OF STATE DEPARTMENTS

What corn is to Iowa, as wheat is to Kansas, so timber is to Washington—the main money crop. Just now the chief worry of the lumber industry is to find markets that will keep the wheels of sawmills running and plywood plants turning. We must look to the enterprise and skill of the operators to hold their share of the highly competitive markets of the world, and give them every possible encouragement. But we would be unwise to think only of the present. If it is possible by sound foresight to have from our forest lands a permanent crop, common sense tells us to do it. The 1933 Legislature made a start in this direction, but there is a lot more to be done if we are to enjoy our rightful share of the wealth and beauty of our forests, and still be sure to leave plenty for the benefit and enjoyment of the generations to come. There are such essential matters as the sustained yield, intelligent taxation to preclude premature liquidation, proper and adequate reforestation, proper fire protection, preservation of highway forests, development of roadside beauty, and other desirable rules and practices too numerous and complex to discuss at this time. Therefore, I earnestly urge that you direct your forestry committees to begin immediately to discuss and consider these important matters, which may be undertaken with assurance of the utmost cooperation of the Department of Conservation, Tax Commission, Land Department, Planning Council, the University, and other active agencies of the state. I am sure that a determined effort along these lines will result in untold benefit to the people of Washington.

Just twenty years ago our state made an investment of \$100,000 for the investigation of a "dream" development on the Columbia River and in the Columbia Basin. Today we see rising across the Columbia River at Grand Coulee the biggest structure ever built by man. The eyes of America are on this development, the world's outstanding power and irrigation project. More than \$100,000,000 already have been spent on this federal development, providing direct employment for thousands of our people and to thousands of others through the stimulation of related industries. Coulee Dam and the first three units of its power development will be completed in two years.

PREVENT SPECULATION IN BASIN LANDS

But there are things that should be done by the state before the irrigation phase of this project can be undertaken. For one thing, we should ratify, or supplement, the federal law to prevent speculation in Columbia Basin lands. It also seems desirable that provision be made for local divisions in the large irrigation district to be created in the Columbia Basin, the purpose being to make certain that all parts of these large districts be fairly represented; and also that in these large districts annual assessments be limited until water is available for the land. I regard these matters of vital importance and I urge your favorable consideration.

CAN WELL SHARE PRESIDENT ROOSEVELT'S ENTHUSIASM

Whenever I think of the Grand Coulee and the Columbia Basin, I think of President Roosevelt. I think of his personal visits to our state, of his determination for an unrivaled development on the Columbia River from Grand Coulee to Bonneville, of his vision of the reclamation and the upbuilding of the Columbia Basin, and of his desire to preserve the tall timber and wilderness in the Olympics. It seems to me that all of us, who perhaps too often take our natural resources and other advantages for granted, might well share President Roosevelt's appreciation and enthusiasm for the opportunities and future of Washington and the Pacific Northwest. I trust he comes often to inspire us.

MINING INDUSTRY DESERVES ROAD AID

Mining development and mineral production are showing marked and steady progress in Washington, almost without notice and without appreciation on the part of many who are interested in the growth and future of our state. In 1925, minerals produced were valued at \$14,000,000. In 1937, production had increased to the value of \$31,000,000. It is certain that 1938 production will show another substantial gain. In fact, mining is our only industry that is showing a steady upward trend and I feel mining should be encouraged and increased by every legitimate means. It is providing new wealth and new payrolls. But one of the most serious obstacles in the way of mining development is the lack of roads into some of our most highly mineralized regions. Therefore, I suggest that you give some consideration to the development of mine-to-market roads, which undoubtedly would produce substantial returns.

COMMITTEE REPORT SUGGESTS NEW INDUSTRY

You will receive a report from the special committee you created and directed to investigate the operations and costs of the gasoline business in the hope that the survey might result, directly or indirectly, in lower gasoline prices for the consumers of this state. Several interesting features are revealed in the report, but the impression I gained is that we cannot expect much in the way of lower prices so long as we are dependent on shipments from other parts of the country, and that our best possibility is through home production and refining. So far there is no production of any consequence, but refining offers immediate possibilities, and I think we should do anything we can consistently to encourage local independent refining as a desirable part of our balanced development and industrial life.

DEFINITE FINANCE POLICY FOR STATE PARKS

I suggest you consider the problem of our state parks. We now have 52 parks, totaling 43,000 acres, which have been developed and improved considerably under the works program and community efforts; but the cost of upkeep is becoming more and more difficult, running to approximately \$64,000 during 1938. I believe it would be well worth your while to consider a more definite policy of financial support and administration, and I should appreciate your cooperation with members of the State Parks Committee in this important matter.

PROGRESS COMMISSION REPORTS HEADWAY

Two years ago you created the Washington State Progress Commission to arrange for this state's participation in the two world fairs at San Francisco and New York, to promote Golden Jubilee observances throughout the state and to encourage tourist travel. This commission made up of public-spirited men who are giving considerable time to their work of love, now are ready to report progress to you, and I trust your proper committees will give this matter early attention. It might be well to bear in mind that

1939 promises to be a big year for tourist travel, with the San Francisco Exposition as an outstanding attraction, and that many thousands of the visitors to the California Exposition should be persuaded to visit Washington on their Western trip, either coming or going. Southwestern states and communities are seeking to divert those prospective tourists to their part of the country, and our Progress Commission has interested Oregon, Idaho and British Columbia to join in a cooperative program to invite and encourage those people to come to the Pacific Northwest. I am glad to be a part of this campaign and I believe it is worthy of your support.

EXECUTIVE'S RESPONSIBILITIES AND DUTIES NEED DEFINING

You may recall the abortive attempt to call a special session of the Legislature last April, which was undertaken while the Governor was in the national capital on state business, and the uncertainty and confusion it caused throughout the state. It seems to me that, in view of the decision of the Supreme Court, and clarifying opinions written by different members of the court, you might well define the authority of the Governor while on temporary absence from the state, and also clarify and define the duties and responsibilities of the Lieutenant Governor during such absence of the Chief Executive. Such action on your part will tend to preclude embarrassment to the Lieutenant Governor, relieve the Governor, deprive the politicians of a plaything, and eliminate uncertainty from among the people in general. I trust you will give this matter your consideration.

LIBERALIZE ELECTION BALLOTS

You undoubtedly also have noted the persistent political attacks on the blanket primary, and I want to suggest that the threats for its repeal or revision to abridge the voter's right for a free choice in any column on the ballot to be unworthy of serious attention. It seems to me that the blanket primary has proved itself serviceable and worthy of preservation, and I know the people generally approve it. I believe the people would prefer to have the true principles of the blanket primary liberalized rather than restricted, and have the principle of discriminatory and selectivity made definite and certain on the general ballot. This can be accomplished by removing the circle from the top of each column on the general ballot. To me this circle is a relic of old ward politics, and assuredly not complimentary to the intelligence of the citizenship of Washington. I understand a bill for this purpose will be submitted to you, and I commend it as being worthy of your favorable consideration.

Once again I suggest you consider the licensing and regulating of the small-loan business, chiefly to protect those who find it necessary to make so-called salary or personal loans.

SUGGESTS RETIREMENT OF DORMITORY BONDS

Ten years ago the state normal school at Ellensburg constructed certain dormitory facilities at a cost of approximately \$240,000, the payment of this to be made from the operations of the properties. This indebtedness has been reduced to about \$160,000 and accrued interest for the last several years. In view of the apparent uncertainties as to the liquidation of this indebtedness, and in fairness to the investors and the good name of our state, I suggest that you seriously consider the advisability of retiring this obligation by an appropriation from the general fund, and with the understanding that earnings from these operations be returned to this fund up to the amount of the appropriation. We have a proposal from the bondholders that they will waive the accrued interest on the payment of the face of the bonds, which seemingly is worth consideration.

LOW-COST HOUSING REQUIRES ENABLING ACT

I should like to direct your attention to the Federal Housing Act to provide a Federal subsidy for low-cost housing and slum clearance. If our cities are to participate in this program, it will be necessary for you to enact enabling legislation to authorize local housing corporations and to facilitate their operation. Of course we do not have the slum problems of the older cities, but it may be possible to adopt this Federal plan to the housing needs of some of our communities. Consequently, I suggest that you pass the necessary enabling acts.

Finally, my fellow citizens, you who are sitting in this Legislature, we share a distinctive responsibility that transcends politics, sections and creeds—that great and inspiring responsibility of working and legislating for the welfare and progress of the state as a whole, for the good of all the people.

LEGISLATORS PREPARE FOR TASKS

I am confident, however, that most of you are fully impressed by your far-reaching responsibility and the magnitude of your task, and are unusually well prepared and determined to meet the work ahead. Never before have so many members of the Senate and House, both old and new, come to Olympia so far beforehand to look into departmental affairs, discuss major problems, and otherwise become familiar with those matters which now rise to challenge your minds and spirit. I know this will help you, and earn for you the appreciation of many grateful citizens.

RAISE INCOME PRESENT NEED

Most of you, I am sure, realize fully that this is not the time for more politics, more functions and more new taxes—but that it is the time to go straight down the road with a constructive program, neither right nor left. The dominant need in Washington today is for more productive wealth to raise the income of the people as a whole, not only for the preservation of our established institutions and ideals, but also that all of our people may have the opportunity for useful employment and so that our farmers may have a better home market for the crops they raise.

This is the time for more industry, more private jobs, more business. This is the time to see to it that no further restraints are placed on industry or business, and that no discouragements are put in the way of the man who is looking around for a place and the opportunity to start a new industry, no matter how small, for the production of something useful and serviceable.

HONEST PROFIT JUSTIFIABLE

You members of this Legislature will have many opportunities to do things that are worthwhile, but you will serve best if you do whatever is possible to give industry a chance to revive and expand, to give men a chance to work, and to work more freely, and to give business a chance to get on its feet and to stay on its feet. And, above all, you will serve well if by your work and conduct you proclaim to all those who care to know that out here in the State of Washington it is not dishonorable for a man to make an honest profit.

ZEST OF LIFE IS FOUND IN WASHINGTON

Let me assure you that I do not make this plea only for the sake of material wealth. We can have an abundance of all material things and still have poor times and still be far from happiness and contentment. I make this plea also for the spirit of Washington, and for the sake of the splendid citizens of Washington, because the zest of life is in the process of creating, producing and building. Men and women find true happiness in working freely, earning, saving and looking forward to a busier and more productive life for their children.

This is the spirit and zest of American life in Washington, which no imported philosophy must be permitted to change, and which we must foster and protect everlastingly.

The President announced that the committee would escort His Excellency, Governor Martin, to the Governor's chambers.

The President announced that on second thought he would personally escort the Governor to the Governor's chambers.

The President and the Governor retired.

The Speaker resumed the chair.

On motion of Senator Orndorff, the Joint Session was dissolved.

The Senate reconvened in the Senate Chamber at 2:18 o'clock p. m.

INTRODUCTION OF BILLS

Senate Bill No. 3, by Senator Reardon, entitled: "An Act to provide supervision and temporary care of persons paroled or released from the Washington State penitentiary, and the Washington State reformatory, making an appropriation therefor, and declaring an emergency."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Penal and Reformatory Institutions.

Senate Bill No. 4, by Senator Reardon, entitled: "An Act creating in this state a correctional institution for first offenders between the ages of eighteen and twenty-four as defined in this act, said institution to be known as State Vocational School, making an appropriation therefor and declaring an emergency."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Penal and Reformatory Institutions.

Senate Bill No. 5, by Senator Kyle, entitled: "An Act repealing chapter 218 of the Laws of 1937 relating to the protection of copyrights."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 6, by Senator McDonald, entitled: "An Act relating to vacancies in county offices, amending section 1 of chapter 163 of the Laws of 1927."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 7, by Senator Murfin, entitled: "An Act repealing chapter 198 of the Laws of 1937, relating to minimum salary of public school teachers."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 8, by Senator Murfin, entitled: "An Act repealing chapter 157 of the Laws of 1937, relating to and regulating the sale of eggs."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Agriculture.

The President moved to suspend Rule 63.

The motion lost.

The President announced his appointments to Standing Committees to be as follows:

SENATE COMMITTEE APPOINTMENTS

Aeronautics—Voyce, chairman; Lovejoy, Malstrom, Mee, Shorett.

Agriculture—McMillan, chairman; Copeland, Ferryman, Murfin, Roup, Schroeder, Todd.

Appropriations—Shorett, chairman; Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Holt, Kerstetter, Klemgard, Lovejoy, Malstrom, McDonald, McMillan, Mills, Percival, Roup, Thomas.

Banks and Banking—McAulay, chairman; Copeland, Duggan, Lovejoy, Malstrom, McDonald, Morgan, Roberts, Sieler, Voyce.

Cities of the First Class—Holt, chairman; Bloomer, Kerstetter, McDonald, Orndorff, Roberts, Thomas.

Claims and Auditing—Maxwell, chairman; Drumheller, Edwards, Ferryman, Keller.
Commerce and Manufacturing—Dawson, chairman; Haddon, Roberts, Rosellini, Schroeder.

Compensation and Fees for State and County Officers—Atkinson, chairman; Bloomer, Copeland, Farquharson, Henderson, McMillan, Thomas.

Constitutional Revision—Kyle, chairman; Duggan, Farquharson, Klemgard, McAulay, Metcalf, Murphy, Orndorff, Reardon, Shorett, Troy.

Corporations Other Than Municipal—Rosellini, chairman; Henderson, Holt, Kyle, Voyce.

Counties and County Boundaries—Roup, chairman; Ferryman, Keller, Moe, Morgan.
Dairy and Livestock—Todd, chairman; Edwards, Keller, Koontz, Kyle, Mills, Percival.

Education—Haddon, chairman; Farquharson, Klemgard, Malstrom, McAulay, Reardon, Wanamaker.

Educational Institutions—Farquharson, chairman; Haddon, Holt, Klemgard, McDonald, McMillan, Moe, Murfin, Murphy, Orndorff, Shorett, Sullivan, Thomas.

Elections and Privileges—Murphy, chairman; Duggan, Edwards, Kyle, Mills, Percival, Roup, Sullivan, Wanamaker.

Engrossed Bills—Holt, chairman; McDonald, Roberts, Thomas, Troy.

Enrolled Bills—Lovejoy, chairman; Dawson, Farquharson, Murfin, Percival.

Federal Relations and Immigration—Metcalf, chairman; Atkinson, Kerstetter, McDonald, Orndorff, Stinson, Sullivan.

Financial Institutions Other Than Banks—Troy, chairman; Copeland, Duggan, Edwards, Lovejoy, Maxwell, Rosellini, Shorett, Sieler.

Fisheries—Edwards, chairman; Bloomer, Keeler, Keller, Maxwell, Reardon, Shorett, Todd, Troy.

Flood Control—Sieler, chairman; Ferryman, Henderson, Kyle, Malstrom, Morgan, Reardon, Schroeder, Shorett, Thomas.

Forestry and Logged-Off Lands—Schroeder, chairman; Holt, Keeler, McMillan, Metcalf, Reardon, Wanamaker.

Game and Game Fish—McAulay, chairman; Edwards, Henderson, Klemgard, Koontz, McDonald, McMillan, Moe, Schroeder.

Harbors and Waterways—Thomas, chairman; Bloomer, Dawson, Haddon, Wanamaker.

Horticulture—Mills, chairman; Drumheller, Ferryman, Koontz, McAulay.

Industrial Insurance—Kerstetter, chairman; Dawson, Henderson, Keller, Maxwell, Moe, Morgan, Percival, Troy.

Insurance—McDonald, chairman; Dawson, Farquharson, Kyle, Lovejoy, Murphy, Orndorff, Rosellini, Stinson.

Judiciary—Duggan, chairman; Farquharson, Kyle, Maxwell, McAulay, Metcalf, Moe, Morgan, Murfin, Rosellini, Shorett, Sieler, Todd, Troy.

Labor and Labor Statistics—Wanamaker, chairman; Drumheller, Kerstetter, Maxwell, Mills, Roup, Stinson, Thomas, Todd.

Legislative Apportionment—Bloomer, chairman; Murphy, Keller, Kyle, Malstrom, McDonald, Mills, Morgan, Murfin.

Liquor Control—Lovejoy, chairman; Bloomer, Drumheller, Keeler, Kerstetter, Kyle, McMillan, Orndorff, Percival, Roberts, Rosellini, Schroeder, Sullivan, Troy, Voyce.

Medicine, Dentistry, Pure Food and Drugs—Henderson, chairman; Copeland, Haddon, Kerstetter, Lovejoy, McDonald, Thomas.

Memorials—Metcalf, chairman; Atkinson, Klemgard.

Military—Orndorff, chairman; Farquharson, Klemgard, Mills, Roberts, Schroeder, Sullivan.

Mines and Mining—Moe, chairman; Duggan, Holt, Koontz, McMillan, Murphy, Voyce.

Municipal Corporations Other Than First Class—Stinson, chairman; Farquharson, Moe, Morgan, Murfin, Sieler, Voyce.

Parks and Playgrounds—Roberts, chairman; Henderson, Holt, Rosellini, Stinson, Sullivan, Thomas, Todd, Wanamaker.

Printing—Roberts, chairman; Atkinson, Malstrom, Murfin, Reardon.

Public Buildings and Grounds—Sullivan, chairman; Koontz, Lovejoy, Malstrom, Troy.

Public Morals—Ferryman, chairman; Atkinson, Bloomer, Duggan, Kerstetter, Roberts, Rosellini.

Public Utilities—Drumheller, chairman; Bloomer, Dawson, Ferryman, Keeler, Metcalf, Murfin, Roup, Thomas.

Railroads and Transportation—Klemgard, chairman; Copeland, Dawson, Drumheller, Henderson, Kerstetter, Lovejoy, Stinson, Voyce.

Reclamation, Irrigation, Dikes, Drains and Ditches—Keeler, chairman; Koontz, McAulay, Moe, Murfin, Sieler, Stinson.

Revenue and Taxation—Murfin, chairman; Atkinson, Holt, Metcalf, Morgan, Murphy, Orndorff, Reardon, Roberts, Rosellini, Sullivan, Troy, Wanamaker.

Roads and Bridges—Keller, chairman; Bloomer, Haddon, Henderson, Keeler, Koontz, Kyle, Maxwell, McAulay, Moe, Orndorff, Roup, Schroeder, Sieler, Stinson, Todd, Troy, Voyce, Wanamaker.

Rules and Joint Rules—President, chairman; Drumheller, Duggan, Edwards, Keeler, Kerstetter, Kyle, Maxwell, McAulay, McMillan, Metcalf, Reardon.

Rural Credits and Agricultural Development—Copeland, chairman; Atkinson, Ferryman, McMillan, Metcalf, Mills, Morgan, Murfin, Sullivan.

Senate Employees—Klemgard, chairman; Keller, Roup.

Social Security—Koontz, chairman; Drumheller, Duggan, Edwards, Ferryman, Keeler, Kerstetter, Maxwell, McAulay, Murphy, Reardon, Stinson, Sullivan, Todd, Wanamaker.

State Charitable Institutions—Percival, chairman; Haddon, Malstrom, Mills, Morgan, Murphy, Schroeder, Sieler, Todd.

State Granted, School and Tide Lands—Morgan, chairman; Farquharson, Haddon, Holt, Keller, Percival, Troy.

State Library—Malstrom, chairman; Atkinson, Holt, Keller, Koontz.

State Penal and Reformatory Institutions—Reardon, chairman; Copeland, Haddon, Percival, Rosellini, Roup, Schroeder.

On motion of Senator Reardon, the Secretary and Sergeant-at-Arms were instructed to leave as many employees as possible free to attend the Legislative Ball this evening.

At 2:50 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 2:00 o'clock p. m., on Thursday, January 12th, 1939.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FOURTH DAY

AFTERNOON SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, January 12, 1939.

The Senate was called to order at 2:00 o'clock p. m., by President pro tempore Reardon.

President Victor A. Meyers assumed the chair.

Reverend Claude H. Lorimer of the First Christian Church of Olympia offered prayer.

The Secretary called the roll, all members being present.

On motion of Senator Lovejoy, the reading of the Journal of the previous day was dispensed with, and it was approved.

The Secretary read:

Senate Joint Memorial No. 1, by Senator Troy: "Relating to the closing of a portion of Stevens County in the State of Washington to grazing."

The memorial was read first time, and on motion of Senator Kyle the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Forestry and Logged-Off Lands.

MOTION

Senator Drumheller moved that the Standing Committees of the Senate as announced by the President yesterday be confirmed.

The President directed the Secretary to call the roll on the motion by Senator Drumheller.

The Secretary called the roll and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The Secretary read:

MESSAGES FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, January 11, 1939.

To the Honorable, The Senate and the House of Representatives of the State of Washington:

In compliance with the provisions of chapter 9, Laws of 1925, as amended by chapter 162, Laws of 1929, of the State of Washington, I have the honor to transmit herewith the Governor's Budget for the fiscal biennium, April 1, 1939, to March 31, 1941, together with letter of transmittal from the Department of Finance, Budget and Business, and other information and data.

Respectfully submitted,
CLARENCE D. MARTIN,
Governor.

State of Washington, Executive Department,
Olympia, January 11, 1939.

To the Honorable, The Senate and the House of Representatives of the State of Washington:

In compliance with the provisions of chapter 9, Session Laws of 1925, of the State of Washington, I have the honor to transmit herewith, for your consideration, the budget bill, setting forth the amounts recommended to be appropriated for the biennium April 1, 1939, to March 31, 1941, for the various departments and institutions of the state, as detailed in the Governor's budget, also transmitted this date.

Respectfully submitted,
CLARENCE D. MARTIN,
Governor.

On motion of Senator Reardon Rule 63 was suspended.

INTRODUCTION OF BILLS

Senate Bill No. 9, by Senator Ferryman, entitled: "An Act relating to hunting and fishing and amending section 5892 of Remington's Revised Statutes and exempting resident citizens over the age of sixty-five years from the necessity of securing a license to hunt and fish."

The bill was read the first time, and on motion of Senator Ferryman the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate Bill No. 10, by Senator Orndorff, entitled: "An Act relating to the designation of taxes and assessments."

The bill was read the first time, and on motion of Senator Orndorff the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 11, by Senators Sullivan and McDonald, entitled: "An Act relating to the installation, location, and inspection of telephone meters, amending section 37, chapter 117 of the Session Laws of 1911, and amending chapter 223 of the Session Laws of 1929 by adding thereto one new section to be known as section 2."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

Senate Bill No. 12, by Senators Farquharson and Maxwell, entitled: "An Act relating to public highways; providing for additional highways in the primary state highway system; providing for the maintenance, operation and the inclusion in the primary state highway system of certain highway facilities being constructed by the Washington Toll Bridge Authority; defining the powers and duties of certain state officers; amending section 2 of chapter 190, Session Laws of 1937; section 14 of chapter 190, Session Laws of 1937; and section 15 of chapter 207, Session Laws of 1937; and declaring an emergency."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 13, by Senator Sieler (by request), entitled: "An Act validating tax levies made in any city or town prior to the 14th of May, 1925, for the creation of a revolving or guaranty fund to guarantee the payment of local improvement bonds or warrants issued within any such city or town prior to said date, and subsequent to the date of any such tax levies."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Sieler the usual number of copies of Senate Bill No. 13 were ordered printed.

Senate Bill No. 14, by Senators Mills and Stinson, entitled: "An Act relating to elections, amending section 5274 and section 5303 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Stinson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Senator Bloomer asked unanimous consent to be excused until Monday, January 16th, 1939.

On motion of Senator Lovejoy, unanimous consent was granted.

Senator McAulay presented to the members of the Senate and the Press, Delicious apples from the Yakima Valley.

At 2:31 o'clock p. m., on motion of Senator Orndorff the Senate adjourned until Friday, January 13th, 1939, at 11:00 o'clock a. m.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Friday, January 13, 1939.

The Senate was called to order at 11:00 o'clock a. m. by President Pro Tempore Reardon, pursuant to adjournment.

President Victor A. Meyers assumed the chair.

Reverend Claude H. Lorimer, of the First Christian Church of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senator Bloomer, who was excused.

On motion of Senator Farquharson, the reading of the journal of the previous day was dispensed with, and it was approved.

The Secretary read:

SENATE RESOLUTION

By Senator Roberts:

WHEREAS, the year, 1939, is being celebrated as the Fiftieth Anniversary and Golden Jubilee of the admission of the State of Washington into the Union; and

WHEREAS, the Washington State Progress Commission has suggested that an attractive designation of said anniversary appear upon all stationery used by the State of Washington during said year; and,

WHEREAS, the expense of adding such designation is almost insignificant; Now, Therefore Be It Resolved, that the Washington State Senate instruct the State Printing Office to print at the bottom of not more than five hundred (500) letterheads (for each Senator who desires the same) the following slogan in golden letters:

1889—STATE OF WASHINGTON JUBILEE—1939

On motion of Senator Roberts the resolution was adopted.

MOTION

Senator Reardon moved that the Governor's Message and the Budget accompanying it be referred to the Committee on Rules and Joint Rules.

The motion by Senator Reardon carried.

STANDING COMMITTEES

The President announced the following changes in the Standing Committees:

Labor and Labor Statistics: increased from nine to eleven members, and Senators Voyce and Murfin appointed as members thereof.

Dairy and Livestock: increased from seven to eight members, and Senator Sieler appointed as a member thereof.

Educational Institutions: Senator McMillan's resignation from the Committee accepted, and Senator Malstrom was appointed by the President to fill the vacancy.

Forestry and Logged-Off Lands: Senator McMillan's resignation from the Committee accepted, and Senator Troy was appointed by the President to fill the vacancy.

Senator Reardon moved that the Standing Committees of the Senate, as announced on the previous day with the changes announced this day, be confirmed.

The Secretary called the roll, and the motion by Senator Reardon carried by the following vote:

Those voting ayes were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Absent or not voting: Senator Bloomer—1.

MOTION

Senator Farquharson moved that the offer of eight volumes of Pierce's Code to the Senate by Mr. Frank Pierce for its use during this and future sessions be accepted and that a letter of acceptance and appreciation be transmitted to Mr. Pierce.

The motion by Senator Farquharson carried.

Senator McAulay moved that at the close of the 1939 Session of the Legislature the state law librarian be made the custodian of the volumes of Pierce's Code just accepted until the convening of the next session of the Legislature.

The motion by Senator McAulay carried.

On motion of Senator Reardon, the Secretary of the Senate was instructed to stamp each volume of the code "Property of the Senate of the State of Washington."

On motion of Senator Shorett, Rule 63 was suspended.

The Secretary read:

Senate Joint Memorial No. 2, by Senators Todd and Keeler: Relating to the General Welfare Act and adequate provision for old age assistance.

The memorial was read the first time, and on motion of Senator Todd the rules were suspended, the memorial was read the second time, ordered printed and referred to the Committee on Memorials.

Senate Joint Memorial No. 3, by Senators Atkinson and McDonald: Relating to the export traffic in war materials to Japan.

The memorial was read the first time, and on motion of Senator Atkinson the rules were suspended, the memorial was read the second time, ordered printed and referred to the Committee on Memorials.

Senate Joint Memorial No. 4, by Senator Metcalf: Requesting the issue of a postage stamp celebrating the Golden Jubilee of the admission of this state to the Union.

The memorial was read the first time, and on motion of Senator Metcalf, the rules were suspended, the memorial was read the second time, read the third time, and placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 4, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Absent or not voting: Senator Bloomer—1.

The memorial, having received the constitutional majority, was declared passed.

On motion of Senator McAulay, the rules were suspended and Senate Joint Memorial No. 4 was ordered immediately transmitted to the House.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 13, 1939.

MR. PRESIDENT:

We, your Committee on Employment, report as follows:

The Senate Employment Committee has had under consideration the matter of securing a staff of employees to carry on the work of the Senate of the 26th Legislature. They wish to report back to the Senate that the matter of Senate patronage has been taken care of, and sufficient additional staff has been retained to perform the work efficiently.

The Committee finds that the requests for employment are far in excess of the physical limitations for employment in the Senate; therefore it has been necessary to take an arbitrary stand in the further expansion of employment, but the Committee has sincerely endeavored to establish a situation acceptable to the members of the Senate.

GORDON KLEMGARD, *Chairman*.

We concur in this report: J. P. Keller, Howard Roup.

On motion of Senator Klemgard, the report of the Committee was received.

Senate Bill No. 12: The Committee on Roads and Bridges recommended that Senate Bill No. 12 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

INTRODUCTION OF BILLS

Senate Bill No. 15, by Senator Sullivan, entitled: "An Act to prevent the manufacture, shipment and sale of adulterated or misbranded food, drugs, devices, and cosmetics, and to regulate traffic therein; and to prevent the false advertisement of food, drugs, devices and cosmetics; providing for the registration of certain foods, drugs, devices, and cosmetics; providing for collection of an annual charge; creating a special fund; making an appropriation; prescribing the powers of the director of agriculture; prescribing penalties; and repealing sections 6137, 6138, 6139, 6144, 6145, 6146, 6147, 6148, 6149, 6150, 6151, 6152, 6153, and 6154 of Remington's Revised Statutes, and declaring an emergency."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

Senate Bill No. 16, by Senator Duggan, entitled: "An Act relating to the duties and liabilities of guardians of estates and amending section 205, chapter 156 of the Laws of 1917."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 17, by Senator Farquharson, entitled: "An Act authorizing the conveyance of certain platted first class shore lands to King county for recreational purposes."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate Bill No. 18, by Senator Edwards, entitled: "An Act relating to the hours of labor of employees of the state and its political subdivisions upon public improvements and works done by contract for the state or its political subdivisions, declaring the public policy of the state with regard thereto, providing penalties for its violation, amending sections 1 and 2 of chapter 101 of the Laws of 1899 and sections 2 and 3 of chapter 44 of the Laws of 1903, and repealing section 3 of chapter 101 of the Laws of 1899 and section 1 of chapter 44 of the Laws of 1903."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate Bill No. 19, by Senators Lovejoy and Ferryman, entitled: "An Act relating to the leasing of state lands for the exploration and development of gas and oil, amending sections 176 and 180 of chapter 255 of the Laws of 1927, adding three (3) new sections to chapter 255 of the Laws of 1927 and repealing certain laws."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate Bill No. 20, by Senators Lovejoy and Ferryman, entitled: "An Act relating to the drilling for oil and gas; requiring permits therefor; prescribing penalties for the violation thereof; and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate Bill No. 21, by Senator Reardon, entitled: "An Act prohibiting aliens from joining labor organizations or taking an active part therein and prescribing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate Bill No. 22, by Senator Roberts, entitled: "An Act making the taking of usury a misdemeanor, repealing all acts or parts of acts in conflict therewith, and amending chapter 90 of the Laws of 1899 by adding a new section thereto."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 23, by Senator Roberts, entitled: "An Act relating to the conveyance of state lands to cities of the first class for municipal park and playground purposes and the securing of the same where necessary by exchanging other state lands therefor and authorizing the director of conservation and development to assist in the development and decoration thereof."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Parks and Playgrounds.

On motion of Senator Drumheller, the Senate was declared at ease for fifteen minutes to allow the Rules Committee to make up the calendar for the day.

The President announced that the naming of Vice Chairman of certain committees had been overlooked, and he asked unanimous consent of the Senate to name Senator Bloomer as Vice Chairman of the Committee on Roads and Bridges, Senator Klemgard as Vice Chairman of the Committee on Appropriations, and Senator Orndorff as Vice Chairman of the Committee on Revenue and Taxation.

There being no objection, it was so ordered.

GENERAL FILE

Senate Bill No. 12:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 12, 1939.

Mr. PRESIDENT:

We, a majority of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 12, entitled: "An Act relating to public highways; providing for additional highways in the primary state highway system; providing for the maintenance, operation and the inclusion in the primary state highway system of certain highway facilities being constructed by the Washington Toll Bridge Authority; defining the powers and duties of certain state officers; amending section 2 of chapter 190, Session Laws of 1937; section 14 of chapter 190, Session Laws of 1937; and section 15 of chapter 207, Session Laws of 1937; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the bill as follows:

In section 1, line 14, page 1 of the original bill, after the word "the" and before the word "approach" strike the word "east" and insert in lieu thereof the word "west."

In section 4, line 8, page 3 of the original bill, after the period (.) add the following: "The Director of Highways is authorized and empowered to enter into agreements with the Washington Toll Bridge Authority, agreeing to construct upon a particular route and between established termini, and fixing a date for the completion thereof, portions of primary state highways or secondary state highways, as the case may be, to and connecting with any toll bridge or toll bridges established and constructed or to be constructed by the Washington Toll Bridge Authority."

J. P. KELLER, *Chairman.*

We concur in this report: Pearl A. Wanamaker, Lulu D. Haddon, Joe L. Keeler, W. R. Orndorff, Leroy L. Todd, H. I. Kyle, Ted F. Schroeder, Harold P. Troy, J. W. Henderson, Clifford O. Moe, J. M. Koontz, Howard Roup, Earl Maxwell, Thomas Voyce.

On motion of Senator Keller, the committee report was received and the bill read the third time.

On motion of Senator Duggan, the first committee amendment was adopted.

On motion of Senator Keller, the second committee amendment was adopted.

Senators Kyle, Maxwell and Kerstetter demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 12 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Those voting nay were: Senators Mills, Reardon, Sieler and Stinson—4.

Absent or not voting: Senator Bloomer—1.

The bill having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Maxwell, the rules were suspended and Senate Bill No. 12 was ordered engrossed and immediately transmitted to the House.

At 1:05 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 2:00 o'clock p. m., Monday, January 16th, 1939.

VICTOR A. MEYERS, *President of the Senate.*EARLE M. McCROSKEY, *Secretary of the Senate.*

EIGHTH DAY

AFTERNOON SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Monday, January 16, 1939.

The Senate was called to order at 2:00 o'clock p. m. by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators Ferryman and Murfin.

On motion of Senator Maxwell, Senator Ferryman was excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Robert Brumblay, of the First Methodist Episcopal Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

SENATE RESOLUTION

By Senator Maxwell:

Authorizing the President of the Senate to appoint a special Senate Committee of three members for the purpose of conducting an investigation of the extent, character, and objects of un-American propaganda activities in the State of Washington, etc.

Senator Maxwell moved the adoption of the resolution.

On motion of Senator Kyle, the resolution was made a special order of business for Tuesday, January 17th, 1939, at 11 o'clock a. m.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., January 13, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 12, entitled: "An Act relating to public highways; providing for additional highways in the primary state highway system; providing for the maintenance, operation and the inclusion in the primary state highway system of certain highway facilities being constructed by the Washington Toll Bridge Authority; defining the powers and duties of certain state officers; amending section 2 of chapter 190, Session Laws of 1937; section 14 of chapter 190, Session Laws of 1937; and section 15 of chapter 207, Session Laws of 1937; and declaring an emergency," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Robert T. McDonald, Paul G. Thomas, Joseph D. Roberts.

On motion of Senator Holt, the report of the committee was received.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 13, 1939.

MR. PRESIDENT:

We, your Committee on Forestry and Logged-Off Lands, to whom was referred Senate Joint Memorial No. 1: "Relating to the closing of a portion of Stevens county in the State of Washington to grazing," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

TED F. SCHROEDER, *Chairman.*

We concur in this report: Alfred E. Holt, Harold P. Troy, Keiron W. Reardon, Joe Keeler, Ralph Metcalf, Pearl A. Wanamaker.

On motion of Senator Schroeder, the report of the committee was received and the memorial was placed on general file.

INTRODUCTION OF BILLS

Senate Bill No. 24, by Committee on Medicine, Dentistry, Pure Food and Drugs, entitled: "An Act to prohibit the sale, gift, barter, exchange or distribution of amytal, luminal, veronal, barbital, acid diethylbarbituric and para-amino-benzene sulfanamide and their derivatives, and providing a penalty for the violation thereof."

The bill was read the first time, and on motion of Senator Henderson the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate Bill No. 25, by Senators Shorett and Murfin, entitled: "An Act relating to the giving of proof of financial responsibility by owners and operators of motor vehicles, providing penalties for certain offenses and declaring when this act shall take effect."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 26, by Senators McDonald and Farquharson, entitled: "An Act providing for the acquisition by the state of an approach to the campus of the University of Washington; authorizing condemnation proceedings therefor; making an appropriation for purchases or condemnation thereof; authorizing the board of regents of the university in respect thereto; creating the 'University Campus Approach Fund'; and declaring an emergency."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Educational Institutions.

On motion of Senator Lovejoy, Rule 63 was suspended.

Senate Bill No. 27, by Senator Wanamaker, entitled: "An Act closing the tide lands of Island county to commercial clam digging until July 1, 1945."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate Bill No. 28, by Senator Voyce, entitled: "An Act creating a board to be known as a 'Miners Examining Board,' providing for its organization, government, membership and powers; and regulating the occupation of coal

miners, providing penalties therefor and repealing all acts or parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Voyce the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate Bill No. 29, by Senator Farquharson, entitled: "An Act to promote the 'state-use system' in the penitentiary and reformatories, provide for the employment and compensation of prisoners on state, county and city used articles; prohibiting the sale of open market and contract labor products; declaring penalties for its violation; amending section 10798 of Remington's Revised Statutes; making an appropriation; and repealing all laws in conflict herewith."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Penal and Reformatory Institutions.

Senate Bill No. 30, by Senator Maxwell, entitled: "An Act relating to and making an appropriation for the relief of Paul Squier."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

Senate Bill No. 31, by Senator Maxwell, entitled: "An Act abolishing the office of coroner in Class A and first, second and third class counties; transferring the powers and duties of said office to that of the prosecuting attorney; authorizing the employment of physicians to assist therewith; and amending section 2 of chapter 136 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 32, by Senator McMillan, entitled: "An Act relating to the licensing and bonding of those engaged in the business of installing electrical wires and equipment, amending section 4 of chapter 169 of the Laws of 1935."

The bill was read the first time, and on motion of Senator McMillan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 33, by Senator McAulay, entitled: "An Act relating to justices of the peace in certain incorporated cities, amending section 3 of chapter 68 of the Laws of 1888."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 34, by Senator McAulay, entitled: "An Act relating to police courts in cities of the second class and cities with a commission form of government, amending section 8 of chapter 103 of the Laws of 1913, and declaring an emergency."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 35, by Senators Thomas and Morgan, entitled: "An Act relating to contempt of court, granting persons accused thereof the right to trial by jury, changing the penalties therefor, and amending sections 1050, 1052, 1056, 1057 and 1059 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Thomas the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 36, by Senator Orndorff, entitled: "An Act providing a special proceeding for the recovery of possession of real property unlawfully detained where the agreed rent or the rental value thereof does not exceed \$50.00."

The bill was read the first time, and on motion of Senator Orndorff the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 37, by Senator Troy, entitled: "An Act relating to crimes and punishment and to Sabbath-breaking, and repealing section 242 of chapter 249 of the Laws of 1909."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 38, by Senator Troy, entitled: "An Act granting trial by jury in appeals from the Joint Board of the Department of Labor and Industries and making such verdicts conclusive."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

At 2:30 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:30 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

NINTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Tuesday, January 17, 1939.

The Senate was called to order at 10:30 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present except Senator Maxwell.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Robert Brumblay, of the First Methodist Episcopal Church of Olympia, offered prayer.

On motion of Senator Farquharson, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

SENATE RESOLUTION

By Senator Murfin:

Resolved, by the Senate that on the mailing list each Senator be allowed two sets of Senate bills, and that members representing more than one county be allowed one additional set for each additional county represented.

On motion of Senator Murfin, the resolution was adopted.

The Secretary read:

Senate Concurrent Resolution No. 1, by Senator Drumheller: Relating to Joint Rules.

Resolved, by the Senate, the House concurring, that the joint rules of the twenty-fifth session, as printed in the 1937 manual, be and the same are hereby adopted as the joint rules of the twenty-sixth session."

The resolution was read the first time, and on motion of Senator Drumheller the rules were suspended, the resolution was read the second time by title, ordered printed and referred to the Committee on Rules.

The Secretary read:

Senate Joint Resolution No. 2, by Senator Morgan: Relating to the appointment of a commission to investigate the activities and expenditures of the Washington state patrol, and the feasibility of allotting the supervision and control of the Washington state patrol to a recognized code department or to the office of the attorney general.

The resolution was read the first time, and on motion of Senator Morgan the rules were suspended, the resolution was read the second time by title, ordered printed and referred to the Committee on Judiciary.

The Secretary read:

Senate Joint Resolution No. 3, by Senator Farquharson: Providing for the submission of an amendment to the Constitution of the State of Washington for a single legislative body with a legislative council, adding Article 1-A to the state constitution, and repealing all provisions of the constitution in conflict herewith.

The resolution was read the first time, and on motion of Senator Farquharson, the rules were suspended, the resolution was read the second time by title, ordered printed and referred to the Committee on Constitutional Revision.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Bill No. 17: The Committee on State Grants, School and Tide Lands recommended that Senate Bill No. 17 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 16, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 20, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk*.

INTRODUCTION OF BILLS

Senate Bill No. 39, by Senator Thomas, entitled: "An Act relating to the use, sale and growth of narcotic drugs; providing for the treatment of drug addicts; providing penalties for violations of this act and amending sections 2509-2, 2509-3, 2509-4, 2509-7, 2509-11 of Remington's Revised Statutes; and adding sections 2509-15, 2509-16, 2509-17, 2509-18 to Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Thomas the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

Senate Bill No. 40, by Senators Thomas and Kyle, entitled: "An Act relating to and increasing the jurisdiction of justices of peace, and amending section 44 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Thomas the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 41, by Senator Kerstetter (By Request), entitled: "An Act relating to unauthorized practices of bathhouses, massage parlors, and similar establishments; prohibiting certain acts and providing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Kerstetter the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Kerstetter, the usual number of copies of Senate Bill No. 41 were ordered printed.

Senate Bill No. 42, by Senator McDonald (By Departmental Request), entitled: "An Act relating to insurance; requiring insurers to file annual statements; prescribing certain taxes and manner of computing the same; and amending section 26 of chapter 49 of the Laws of 1911, as amended by chapter 177, Laws of 1915; chapter 226, Laws of 1929, and chapter 43, Laws of 1937, (section 7071 of Remington's Revised Statutes); and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, and referred to the Committee on Insurance.

Senate Bill No. 43, by Senator Wanamaker, entitled: "An Act relating to the use and furnishing of stamps, coupons, tickets, certificates, cards and other similar devices, for or with the sale of goods, wares or merchandise, and amending chapter 134 of the Laws of 1913 (section 8361 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate Bill No. 44, by Senator Morgan, entitled: "An Act relating to horse racing and gambling in connection therewith, repealing chapter 55 of the Laws of 1933 and section 30, chapter 182, of the Laws of 1935, and transferring funds to the State of Washington for the support of the common schools."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Morals.

Senate Bill No. 45, by Senator Roberts, entitled: "An Act relating to Sab-bath-breaking; repealing section 242 of chapter 249 of the Laws of 1909."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 46, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to old age assistance, prescribing the maximum amount thereof, amending section 4, chapter 182, Laws of 1935, as amended by section 2, chapter 156, Laws of 1937, and declaring an emergency."

The bill was read the first time, and on motion of Senator Koontz the rules were suspended, the bill was read the second time by title, and referred to the Committee on Social Security.

Senate Bill No. 47, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to public assistance, declaring legislative intent in relation thereto, defining the eligibility of persons entitled thereto and the basis for determining the amount of such assistance to be given in individual cases, barring certain claims and judgments as valid claims and judgments against the state and its political subdivisions, and declaring an emergency."

The bill was read the first time, and on motion of Senator Koontz the rules were suspended, the bill was read the second time by title, and referred to the Committee on Social Security.

Senate Bill No. 48, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act providing that relatives of sufficient ability shall

support persons unable to earn a livelihood in consequence of bodily or mental infirmity, or other cause, authorizing the enforcement of liability for such support and declaring an emergency."

The bill was read the first time, and on motion of Senator Koontz the rules were suspended, the bill was read the second time by title, and referred to the Committee on Social Security.

Senate Bill No. 49, by Senator Murfin (By Departmental Request), entitled: "An Act relating to taxation, imposing a tax or excise upon the use of tangible personal property, amending section 31, chapter 180, Laws of 1935, as amended by section 1, chapter 191, Laws of 1937, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

On motion of Senator Murfin, the usual number of copies of Senate Bill No. 49 were ordered printed.

On motion of Senator McDonald, the usual number of copies of Senate Bill No. 42 were ordered printed.

On motion of Senator Murfin, 1000 additional copies of Senate Bill No. 25 were ordered printed.

On motion of Senator Koontz, the usual number of copies of Senate Bills Nos. 46, 47 and 48 were ordered printed.

On motion of Senator Thomas, 100 additional copies of Senate Bill No. 39 were ordered printed.

House Bill No. 20, by Rep. David C. Cowen, entitled: "An Act authorizing the state capitol committee to make major repairs to old capitol building, making appropriation, and declaring this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Shorett, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

The President declared that the Senate would be at ease until 10:59 a. m.

The President called the Senate to order at 10:59 a. m.

SPECIAL ORDER

The President announced that the time for the special order of business having arrived, the Senate would proceed to consider the Senate Resolution by Senator Maxwell authorizing the President to appoint a special Senate Committee of three members for the purpose of conducting an investigation of the extent, character and objects of un-American propaganda activities in the State of Washington, etc.

On motion of Senator Maxwell, the motion was referred to the Committee on Judiciary.

Senator Keeler requested to be excused for an hour.

There being no objection, Senator Keeler was excused for an hour.

There being no objection, the Senate returned to the first order of business for the purpose of considering a Senate Resolution.

The Secretary read:

COMMUNICATION

The Council of State Governments,
1313 East 60th Street,
Chicago, Illinois, December 30, 1938.

HON. VICTOR A. MEYERS, *Lieutenant-Governor*,
State Capitol, Olympia, Washington.

MY DEAR GOVERNOR:

I am enclosing herewith a copy of the formal Proclamation and Call to the Fourth General Assembly of the Council of State Governments, to be held at the Mayflower Hotel in Washington, D. C., on January 18-20, 1939.

The Council will deeply appreciate having the Proclamation read in the Washington Senate.

It would give us great pleasure if you could find it possible to attend the assembly yourself.

Thank you very much for your cooperation.

Very sincerely,

FRANK BANE, *Executive Director*.

PROCLAMATION

By virtue of the authority of the power vested in the Council of State Governments by thirty-seven states of the United States, a call is hereby issued announcing *The Fourth General Assembly* of the Council of State Governments, to be held for three days beginning January eighteenth, nineteen hundred thirty-nine, A. D., at the Mayflower Hotel in Washington, District of Columbia.

Said Fourth General Assembly will consider and discuss problems bearing on cooperative relationships among the various areas of government in the United States of America.

Each of the forty-eight states of the Union will be represented by three official delegates, one chosen from among the members of the State Administrative Services, one from among the members of the State Senate, and one from among the members of the State House of Representatives. In the thirty-seven states equipped with official commissions on interstate cooperation these designations shall be made by the chairman of the Commission on Interstate Cooperation. In the other eleven states designations shall be made by the Governor and by the presiding officers of the Senate and the House of Representatives, respectively.

The Governor of each state is ex officio an honorary member of the Fourth General Assembly.

ROBERT L. COCHRAN, *President*,
The Council of State Governments.

HENRY PARKMAN, JR., *President*,
The American Legislators' Association.

G. L. PORTERIE, *President*,
The National Association of Attorney-Generals.

C. JOHN SATTI, *President*,
The National Association of Secretaries of State.

COMMUNICATION

The White House,
Washington, December 23, 1938.

Lieutenant-Governor Victor A. Meyers,
State Capitol, Olympia, Washington.

MY DEAR GOVERNOR:

Any movement which has for its objective a greater cooperation between the various governments within the United States deserves to be encouraged. The need in government everywhere, whether federal, state, or local, is efficiency. Only through practical demonstration that democracy is the most efficient form of government can we hope to perpetuate the institutions to which we owe all greatness.

I am pleased to know that the Fourth General Assembly of The Council of State Governments will consider the problems of federal-state cooperation in many fields

of general activity. The plan to discuss the growing menace of trade barriers between the states is a splendid idea.

I do hope that every state legislature will be represented at the Fourth General Assembly and that the Governors of the several states will appreciate, as I do, the importance of this movement and lend their support.

I trust that as a result of the Council's deliberations in Washington the aims and objectives of good government everywhere may be encouraged and advanced.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

The Secretary read:

SENATE RESOLUTION

By Senators Kyle and Duggan:

WHEREAS, There will convene in the city of Washington, District of Columbia, on January 18th, 1939, the Fourth General Assembly of the Council of State Governments; and

WHEREAS, The State of Washington has been invited to send official delegates to that Assembly to represent this commonwealth; and

WHEREAS, The Senate is entitled to be officially represented by some member appointed by this body; and

WHEREAS, It is not only fit and becoming but incumbent upon the Senate of this great commonwealth to be represented at that meeting by a person of outstanding ability, and with outstanding knowledge not only of general legislation but of the activities and the problems of this state, and by one who has an outstanding knowledge of all parts of our state, and whose devotion to the interests of the state are known and recognized by all; and

WHEREAS, There is a recognized need for a better understanding and closer cooperation between federal and state governments on social security and other matters:

Now, Therefore, Be It Resolved, That the Honorable Victor A. Meyers, Lieutenant-Governor of the State of Washington, be and he hereby is appointed as a delegate from the Senate of the State of Washington to represent this Senate and the State of Washington at said meeting of the Fourth General Assembly of the Council of State Governments, convening in the city of Washington, District of Columbia, on January 18th, 1939.

Be It Further Resolved, That the Secretary of the Senate be and he is hereby authorized and directed to draw a warrant on the treasurer of the State in the sum of six hundred dollars (\$600.00), in favor of the said Victor A. Meyers, to cover traveling and other necessary expenses in attendance upon said Council.

Be It Further Resolved, That a copy of this Resolution be sent to each Senator and Member of Congress from the State of Washington.

On motion of Senator Kyle, the Senate resolved itself into a Committee of the whole to consider the resolution just read.

The resolution was considered in the Committee of the Whole, Senator Maxwell in the chair, and reported back to the Senate, President Pro Tempore Reardon being in the chair, with the recommendation that it be adopted.

On motion of Senator Maxwell, the report of the committee was adopted.

Senator Kyle spoke as follows in support of Senate Resolution:

"I am very happy to present this resolution to send our esteemed Lieutenant-Governor back to Washington, D. C., as a delegate to the Fourth General Assembly of the Council of State Governments. This Council of State Governments consisting of delegates from the various states has been in existence for a number of years. Its purpose is to bring about a better understanding and closer cooperation among the State Governments and between them and the Federal Government on various matters of general interest and public concern. It has made considerable progress in preparing and recommending uniform legislation on various questions, and right now it is grappling with the problem of trade barriers between the States, which has become rather acute during the past few years.

"There is no one in our State who is better prepared to represent this state than our Lieutenant-Governor. He is thoroughly familiar with the problems of our state, and with his quick intelligence and sympathetic understanding, and his well-known

gift for cooperation, I am sure he will render most creditable service to this state as well as to the Assembly in Washington, if we send him there as a delegate.

"Lieutenant-Governor Meyers is anxious to make this trip. He has been our Lieutenant-Governor for six years, but he is one state officer for whom no provision is made for traveling expenses. He has not enjoyed the privilege of traveling about at state expense, and I think it is only just and fair, since he is anxious to go, and since he is so well qualified to represent us, that we grant him that privilege."

Senator Duggan spoke as follows in favor of the resolution:

"Mr. President:

"I deem it a privilege to sponsor the resolution selecting our Lieutenant-Governor as the representative of the state at the Council of State Governments. This Council fills a very definite spot in our machinery of government. There is no adequate machinery provided for harmonizing the relations between the states, and between the states and the Federal Government, and yet we have constantly recurring conflicts of interest with both. Some of these are relations more or less local, with our neighboring states, such as the fishing control of the Columbia River boundary line between us and Oregon, and those annoying and un-American tariffs between states set up in violation of the constitutional prohibition under the transparent cover of the police power to protect health and safety. Then we have conflicting areas of legislative activities with the federal government, such as the application of the income tax principle and other tax policies which should not be duplicated by the two legislative bodies. It is to iron out such inter-state relations by conference, study and discussion that this Council of State Governments exists, and it is to the credit of the State of Washington that it participates in this constructive work. These things can not be settled quickly; they require extensive discussion by fair-minded and well-informed men who know the problems and the interests of their own states, and for this work I feel that our Lieutenant Governor is very well qualified by his years of service with us. It is with pleasure, therefore, that I have seconded the motion for the adoption of this Resolution."

The Clerk called the roll and the resolution was adopted by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Those voting nay were: Senators Atkinson and Murphy—2.

Absent or not voting: Senator Keeler—1.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant Governor Victor A. Meyers that the Senate awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President addressed the Senate, accepting with thanks the assignment provided for in the resolution just adopted.

On motion of Senator McAulay, the President was accorded the privilege of moving the suspension of Rule 63.

On motion of the President, Rule 63 was suspended.

At 11:45 o'clock a. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

TENTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Wednesday, January 18, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Atkinson.

Reverend Robert Brumblay, of the First Methodist Episcopal Church of Olympia, offered prayer.

On motion of Senator Todd, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Resolution No. 4, by Senators Orndorff and Roup: "Providing for submission to the electors of the state of a constitutional amendment amending Article VII of the Constitution, relating to taxation, by adding thereto a new section to be designated section 2, providing for the limitation of property tax levies in the State of Washington."

The resolution was read the first time, and on motion of Senator Orndorff the rules were suspended, the resolution was read the second time, ordered printed and referred to the Committee on Constitutional Revision.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Bill No. 49:

The Committee on Revenue and Taxation recommended that Senate Bill No. 49 do pass.

The report of the committee, together with the bill, was placed on general file.

INTRODUCTION OF BILLS

Senate Bill No. 50, by Senator Murfin, entitled: "An Act relating to inspection of bakeries, and amending section 8 of chapter 137 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Agriculture.

Senate Bill No. 51, by Senator Orndorff, entitled: "An Act relating to taxation, authorizing installment contracts for the payment of delinquent real property taxes, prescribing powers and duties of county treasurers in connection therewith and declaring an emergency."

The bill was read the first time, and on motion of Senator Orndorff the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 52, by Senator Duggan, entitled: "An Act relating to homesteads and amending section 1, of chapter LXIV of the Laws of 1895, as amended."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 53, by Senator Reardon, entitled: "An Act relating to certain lands and authorizing the sale thereof."

The bill was read the first time and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate Bill No. 54, by Senator Morgan, entitled: "An Act relating to canines running at large within certain specified areas and providing for the recovery of damages from the owner or harborer thereof."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senator Moe assumed the chair.

Senate Bill No. 55, by Senator Reardon, entitled: "An Act relating to the eligibility of candidates, and amending chapter 95 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Senate Bill No. 56, by Senator Holt, entitled: "An Act relating to taxation; prescribing method of appraisalment for assessment; defining terms; amending section 11135, Remington's Revised Statutes, and adding new sections thereto to be known as 11135-1, 11135-2, 11135-3, 11135-4, 11135-5 and 11135-6."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 57, by Senator Troy, entitled: "An Act for the relief of Thurston county, appropriating the sum of two hundred ten thousand dollars (\$210,000) therefor, and declaring an emergency."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 58, by Senator Kyle, entitled: "An Act relating to building and loan associations; defining insolvency thereof; discharging such associations from liquidation when not insolvent and declaring an emergency."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Financial Institutions Other Than Banks.

Senate Bill No. 59, by Senator Troy, entitled: "An Act relating to counties and cities and prescribing the time for opening and closing of county and city offices."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Counties and County Boundaries.

Senator McDonald stated that the members had informed him that they were very well pleased with their stationery and that it was out two weeks earlier than ever before, and that a vote of thanks should be extended to Senator Roberts, Chairman of the Printing Committee.

Senators Bloomer and Keeler concurred.

Senator Ferryman: "Yes, that's the first time, so far as I can remember, when the Chairman of Printing has shown any concern about what happened."

On motion of Senator Todd, Rule 63 was ordered suspended.

On motion of Senator Sullivan, there being no objections, an additional 1000 copies of Senate Bill No. 15 were ordered printed.

At 10:40 o'clock a. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

KEIRON W. REARDON, *President Pro Tempore of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

ELEVENTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Thursday, January 19, 1939

The Senate was called to order at 10:00 o'clock a. m., by President Reardon.

The Clerk called the roll and announced to the President that all Senators were present.

Reverend Robert Brumblay, of the First Methodist Episcopal Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

SENATE RESOLUTION

By Senator Kyle:

Be It Resolved, By the Senate, that any Senate Resolution may be acted upon at the time it is presented: *Provided*, That if objection be made by any member of the Senate said resolution shall not be acted upon until after a copy of the same has been placed upon the desk of every senator.

On motion of Senator Kyle, the resolution was adopted.

Senator Duggan gave notice that at the proper time tomorrow he would move to amend Rule 65 of the Senate Rules.

On motion of Senator Koontz, Rule 63 of the Senate Rules was suspended for the day.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., January 18, 1939.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules to whom was referred Senate Concurrent Resolution No. 1, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

In line 6 of the original Resolution, after the words "twenty-sixth session" change the period (.) to a comma (,) and add the following: "'with the following amendment:

In Rule 26, after the period (.) after the word "thereon" in line 6 of said rule, insert the following:

"The Rules Committee of either house may introduce bills upon executive request by a majority vote of the committee."'"

KEIRON W. REARDON, *Chairman*.

We concur in this report: Earl Maxwell, Joseph Drumheller, D. E. McMillan, Geo. F. McAulay, A. E. Edwards, G. B. Kerstetter, H. I. Kyle, J. L. Keeler, F. S. Duggan, Ralph Metcalf.

The resolution was read the third time.

On motion of Senator Drumheller, the committee amendment was adopted.

The Secretary called the roll and the resolution was adopted by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Absent or not voting: Senator Sullivan—1.

The resolution, having received the constitutional majority, was declared adopted.

On motion of Senator Lovejoy, Jeffers' Studio was made the official photographer for this Session's pictures of members.

Senate Joint Memorial No. 2:

The Committee on Memorials recommended that Senate Joint Memorial No. 2 do pass.

The report of the Committee, together with the memorial, was placed on general file.

Senate Bill No. 46:

A majority of the Committee on Social Security recommended that Senate Bill No. 46 do pass.

A minority of the Committee on Social Security recommended that Senate Bill No. 46 do not pass.

The reports of the Committee, together with the bill, were placed on general file.

Senate Bill No. 47:

The Committee on Social Security recommended that Senate Bill No. 47 do pass with certain amendments.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 48:

The Committee on Social Security recommended that Senate Bill No. 48 do pass with certain amendment.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 16:

The Committee on Judiciary recommended that Senate Bill No. 16 do pass.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 50:

The Committee on Agriculture recommended that Senate Bill No. 50 do pass.

The report of the Committee, together with the bill, was placed on general file.

INTRODUCTION OF BILLS

Senate Bill No. 60, by Senator McAulay, entitled: "An Act relating to law libraries in counties of the second class; amending section 1 of chapter 167 of the Laws of 1933; and amending said chapter 167 of the Laws of 1933 by adding thereto three (3) new sections to be known as section 2a, section 2b, and section 2c."

The bill was read the first time, and on motion of Senator McAulay, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 61, by Senator Orndorff, entitled: "An Act relating to the incorporation of insurance companies, and amending section 85 of chapter 49 of the Laws of 1911."

The bill was read the first time, and on motion of Senator Orndorff, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Insurance.

Senate Bill No. 62, by Senator Drumheller, entitled: "An Act relating to state and county offices and prescribing time for opening and closing thereof."

The bill was read the first time, and on motion of Senator Drumheller, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 63, by Senator Kerstetter, entitled: "An Act relating to the payment of judgments by installments, empowering any judge or justice of the peace to authorize the judgment debtor, in any judgment heretofore or hereafter rendered in or transcribed to his court, to pay such judgment in installments, to thereafter alter the amount and time of payment of such installments, and to prohibit the garnishment of any money due or to become due for the personal work and labor of the judgment debtor, excepting upon certain conditions, and repealing sections 1777-10 and 1777-11 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Kerstetter, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 64, by Senator Kerstetter, entitled: "An Act relating to county and city offices and fixing the time the same may be opened and closed and amending section 4033 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Kerstetter, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 65, by Senator Morgan, entitled: "An Act relating to salaries of officers of cities of the second class and amending section 12, section 20, section 21, section 22 and section 26 of chapter 241 of the Laws of 1907."

The bill was read the first time, and on motion of Senator Morgan, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations Other Than First Class.

Senate Bill No. 66, by Senator Kyle, entitled: "An Act relating to school directors, increasing their powers and providing for the joint purchase of supplies and equipment and amending section 4776 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Kyle, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 67, by Senators Lovejoy and Troy, entitled: "An Act establishing the Washington State Tobacco Commission, licensing retailers of tobacco products, prescribing fees, defining unfair practices injuring competition, declaring penalties, and allocating funds."

The bill was read the first time, and on motion of Senator Lovejoy, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 68, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to the state government; creating the office of unemployment compensation and placement; providing for the appointment of a commissioner thereof, and defining his powers and duties; transferring duties to such officer from the department of social security; abolishing the divisions of unemployment compensation and employment service of the department of social security, and declaring an emergency."

The bill was read the first time, and on motion of Senator Koontz, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

On motion of Senator Lovejoy, 500 extra copies of Senate Bill No. 67 were ordered printed.

Senate Bill No. 69, by Senators Copeland and Roup, entitled: "An Act declaring the policy of the legislature with regard to conserving soil resources and preventing and controlling soil erosion; establishing the state soil conservation committee and defining its powers and duties; providing for the creation of governmental subdivisions within the state to be known as soil conservation districts; providing for the discontinuance of such soil conservation districts; defining the powers and duties of soil conservation districts and providing for the exercise of such powers, including the power to acquire property by purchase, gift and otherwise; empowering such

districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and empowering such districts to adopt programs and regulations for the carrying out of soil-conserving land-use practices, and providing for the enforcement of such programs and regulations; providing for the establishment of boards of adjustment in connection with land-use regulations and defining their functions and powers; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Copeland, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Agriculture.

GENERAL FILE

Senate Joint Memorial No. 1, by Senator Troy: "Relating to the closing of a portion of Stevens County in the State of Washington to grazing," was read the third time.

Senator Atkinson assumed the chair.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 1 and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan; Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Absent or not voting: Senators Keeler and Reardon—2.

The Memorial, having received the constitutional majority, was declared passed.

On motion of Senator Troy, the rules were suspended and the Memorial was ordered immediately transmitted to the House.

Senator Troy moved that copies of the Memorial be forwarded to the Congressional delegation of the State of Washington.

The motion by Senator Troy carried.

Senate Bill No. 49:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 17, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 49, entitled: "An Act relating to taxation, imposing a tax or excise upon the use of tangible personal property, amending section 31, chapter 180, Laws of 1935, as amended by section 1, chapter 191, Laws of 1937, and declaring that this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman*.

We concur in this report: Alfred E. Holt, Albert D. Rosellini, Ralph Metcalf, F. L. Morgan, James T. Sullivan, Kebel Murphy, N. P. Atkinson, W. R. Orndorff, Harold P. Troy.

The bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 49, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Murfin, the rules were suspended and Senate Bill No. 49 was ordered immediately transmitted to the House.

Senate Bill No. 17:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 16, 1939.

MR. PRESIDENT:

We, your committee on State Grants, School and Tide Lands, to whom was referred Senate Bill No. 17, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. L. MORGAN, *Chairman.*

We concur in this report: Monty Percival, J. P. Keller, Harold P. Troy, Lulu D. Haddon, Alfred E. Holt, Mary Farquharson.

The bill was read the third time.

Senator Kyle moved to amend the bill as follows:

Amend section 1, line 7 of the original bill, same being section 1, line 1, page 1 of the printed bill, after the word "Washington" and before the word "is", strike the words "be and".

The motion carried.

President Reardon assumed the chair.

The Secretary called the roll on the final passage of Senate Bill No. 17, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Absent or not voting: Senator McAulay—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Farquharson, the rules were suspended, the bill was ordered engrossed and immediately transmitted to the House.

On motion of Senator Troy, it was ordered that all employees not absolutely necessary to the convenience of the Senate be excused for the employees' dance to be held this evening.

On motion of Senator Maxwell, Senators Klemgard and Keller were excused from attendance upon the Senate tomorrow.

REPORT OF STANDING COMMITTEE

Senate Bill No. 68:

The Committee on Social Security recommended that Senate Bill No. 68 do pass.

The report of the Committee, together with the bill, was placed on general file.

At 11:05 o'clock a. m., on motion of Senator Orndorff, the Senate adjourned until 12:00 o'clock noon tomorrow.

KEIRON W. REARDON, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

TWELFTH DAY

NOON SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 20, 1939.

The Senate was called to order at 12:00 o'clock noon, by President Reardon.

The Clerk called the roll and announced to the President that all Senators were present, except Senators Keller and Klemgard, who were excused.

Reverend Samuel Everton, of the Central Baptist Church of Olympia, offered prayer.

On motion of Senator Percival, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

REPORTS OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., January 19, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Senate Concurrent Resolution No. 1, have compared same with the original resolution and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Joseph D. Roberts, Paul G. Thomas.

Senate Chamber,
Olympia, Wash., January 19, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 17, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Joseph D. Roberts, Paul G. Thomas.

INTRODUCTION OF BILLS

Senate Bill No. 70, by Committee on Parks and Playgrounds, entitled: "An Act transferring certain monies in and to be paid into the State Treasury and abolishing the shoreland improvement fund and defining the duties and powers of the state treasurer in connection therewith."

The bill was read the first time, and on motion of Senator Roberts, the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate Bill No. 71, by Senators Farquharson and Wanamaker, entitled: "An Act relating to the issuance of marriage licenses and repealing section 8450 of Rem. Rev. Stat. (Pierce's Code 3717), and providing for the issuance of marriage licenses in county of residence, for three-day notice of intention, and for waiver in the event of emergency."

The bill was read the first time, and on motion of Senator Farquharson, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 72, by Senator Keller (by departmental request), entitled: "An Act authorizing and directing a conveyance by quit-claim deed in behalf of the State of Washington to the Great Northern Railway Company of certain real estate."

The bill was read the first time, and on motion of Senator Keller, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

On motion of Senator Keller, the usual number of copies of Senate Bill No. 72 were ordered printed.

Senate Bill No. 73, by Senator Keller (By Departmental Request), entitled: "An Act authorizing and directing a conveyance by quit-claim deed in behalf of the State of Washington to the Great Northern Railway Company of certain real estate."

The bill was read the first time, and on motion of Senator Keller, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

On motion of Senator Keller, the usual number of copies of Senate Bill No. 73 were ordered printed.

Senate Bill No. 74, by Senator Henderson, entitled: "An Act relating to trespass upon enclosed and cultivated lands, providing penalties therefor, amending chapter 139 of the Session Laws of 1913, and adding a new section thereto."

The bill was read the first time, and on motion of Senator Henderson, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate Bill No. 75, by Senator Kyle, entitled: "An Act authorizing and directing the director of highways to make survey and estimate for re-location and realignment of a portion of State Road No. 5, a primary state highway in King County."

The bill was read the first time, and on motion of Senator Kyle, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 76, by Senators Wanamaker and Haddon, entitled: "An Act relating to vocational education, accepting certain acts of Congress in relation thereto, establishing a state board for vocational education and defining its powers and duties, authorizing the payment of certain obligations incurred for vocational education supervision, amending sections 1, 3 and 5, chapter 160, Laws of 1919, repealing section 4, chapter 160, Laws of 1919, and declaring an emergency."

The bill was read the first time, and on motion of Senator Wanamaker, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 77, by Senators Metcalf and Kyle, entitled: "An Act empowering the court to appoint expert witnesses in civil and criminal proceedings, providing for conferences and joint reports of expert witnesses, and the compensation of the expert witnesses."

The bill was read the first time, and on motion of Senator Metcalf, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 78, by Senator Wanamaker, entitled; "An Act relating to the health, welfare and care of children in attendance at public schools; and repealing all acts or parts of acts in conflict therewith."

The bill was read the first time, and on motion of Senator Wanamaker, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 79, by Senators Shorett and Metcalf, entitled: "An Act declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; creating such housing authorities in cities and in counties; defining the powers and duties of housing authorities and providing for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; providing that housing authorities may obtain the attorney general's opinion upon their bonds; providing that housing authorities, their property and securities shall be exempt from taxation and assessment, but authorizing certain payments in lieu of taxes; providing that bonds of housing authorities shall be legal investments; conferring remedies on obligees of housing authorities; and declaring an emergency."

The bill was read the first time, and on motion of Senator Shorett, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 80, by Senators Metcalf and Shorett, entitled: "An Act authorizing cities, towns, counties, and other public bodies and subdivisions to aid housing projects of housing authorities or of the United States of America by conveying or dedicating property, by furnishing parks, playgrounds, streets, roads, water, sewer or drainage facilities and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; authorizing cities, towns, counties and other public bodies and subdivisions to purchase bonds of housing authorities, to make agreements respecting the exercise of their powers relating to the remedying or elimination of unfit dwell-

ings, and to make agreements relating to payments by housing authorities; authorizing certain cities, towns and counties to pay monies to housing authorities; and declaring an emergency."

The bill was read the first time, and on motion of Senator Metcalf the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senator Koontz assumed the chair.

On motion of Senator Shorett, 1500 extra copies of Senate Bills Nos. 79 and 80 were ordered printed.

Senate Bill No. 81, by Senator Sullivan entitled: "An Act relating to police judges in cities of the first class having a population of more than 300,000 inhabitants and amending chapter 85 of the Laws of 1899 by adding thereto a new section."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 82, by Senator Rosellini, entitled: "An Act relating to unlawful practice of law, providing penalties therefor, defining terms and amending section 14 of chapter 94 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 83, by Senator Bloomer, entitled: "An Act relating to industrial insurance and the care of injured workmen; and amending section 6 of chapter 310 of the Laws of 1927; sections 7, 9 and 11 of chapter 136 of the Laws of 1923; section 9 of chapter 182 of the Laws of 1921; section 14 of chapter 28 of the Laws of 1917; and section 4 of chapter 188 of the Laws of 1915."

The bill was read the first time, and on motion of Senator Bloomer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Industrial Insurance.

Senate Bill No. 84, by Senator Kyle (By Departmental Request), entitled: "An Act relating to the powers and duties of prosecuting attorneys, providing for their exercise by the attorney general under certain circumstances and amending section 116 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Kyle, the usual number of copies of Senate Bill No. 84 were ordered printed.

Senate Bill No. 85, by Senator Kyle (By Departmental Request), entitled: "An Act relating to state government, co-ordinating the legal work of the several departments of the state and vesting the supervision and control of said work in the attorney general."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Kyle, the usual number of copies of Senate Bill No. 85 were ordered printed.

Senate Bill No. 86, by Senator Kyle, entitled: "An Act relating to the relief of Darwin Hyden, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate Bill No. 87, by Senator Stinson, entitled: "An Act relating to limitations of actions and amending section 162 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Stinson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

Senate Bill No. 88, by Senators Metcalf and Schroeder, entitled: "An Act relating to port districts in counties of the first class, authorizing the establishment, acquisition, improvement and development of industrial development districts therein, providing for the sale and lease of property within such industrial development districts, and providing penalties for the violation of this act."

The bill was read the first time, and on motion of Senator Metcalf the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Commerce and Manufacturing.

GENERAL FILE AND THIRD READING OF BILLS

Senate Bill No. 68:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 19, 1939.

MR. PRESIDENT:

We, your Committee on Social Security, to whom was referred Senate Bill No. 68 entitled: "An Act relating to the state government; creating the office of unemployment compensation and placement; providing for the appointment of a commissioner thereof, and defining his powers and duties; transferring duties to such officer from the department of social security; abolishing the divisions of unemployment compensation and employment service of the department of social security, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. M. KOONTZ, *Chairman.*

We concur in this report: Joseph Drumheller, A. E. Edwards, Fred S. Duggan, Kebel Murphy, Leroy L. Todd, C. F. Stinson, Earl Maxwell, Joe L. Keeler, James T. Sullivan, G. B. Kerstetter, Pearl A. Wanamaker, Geo. F. McAulay.

The bill was read the third time.

Senator Sieler moved to amend the bill as follows:

Amend section No. 1 by striking the entire section and inserting in lieu thereof the following:

Section 1. That from and after the 1st day of April, 1939, the administration of the Unemployment Compensation Act, being chapter 162, Laws of 1937, be transferred to, and be under the direction and supervision of the State Auditor.

Senator Drumheller moved to lay the amendment by Senator Sieler on the table.

A roll call was demanded on the motion to lay on the table by Senators Thomas, Murphy, Kyle, Sieler, Atkinson, Troy, Kerstetter and Sullivan.

The Secretary called the roll on the motion of Senator Drumheller and it carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Stinson and Wanamaker—29.

Those voting nay were: Senators Atkinson, Kerstetter, Kyle, Malstrom, Metcalf, Mills, Morgan, Murphy, Rosellini, Sieler, Sullivan, Thomas, Todd, Troy and Voyce—15.

Absent or not voting: Senators Keller and Klemgard—2.

Senator Murfin moved to amend the bill as follows:

Amend Sec. 3, line 28, page 1 of the original bill, after the following: "Sec. 3." strike the word "Whenever" and substitute in lieu thereof the word "Wherever".

The motion carried.

Senator Kyle moved the previous question, seconded by Senators Maxwell and Drumheller.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 68, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Absent or not voting: Senators Keller and Klemgard—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Stinson moved that when the Senate adjourns today, it adjourn in memory of former Senator Charles L. Colburn.

The motion carried.

At 1:05 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until Monday, January 23rd, 1939, at 11 o'clock a. m.

KEIRON W. REARDON, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTEENTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 23, 1939.

The Senate was called to order at 11:00 o'clock a. m., by President Reardon. The Clerk called the roll and announced to the President that all Senators were present.

Reverend Walter G. Comin, of the First United Presbyterian Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

Senator Duggan gave notice that tomorrow morning he would move to amend Senate Rule 65.

The Secretary read:

SENATE RESOLUTION

By Senator Schroeder: Creating a special committee to make an investigation of the costs of producing, processing and distributing milk and dairy products and giving said committee certain powers.

Be It Resolved, By the Senate of the State of Washington in Legislative Session Assembled:

THAT, WHEREAS, The dairy industry is one of the major industries of the State of Washington and an important source of revenue to a large portion of the state's agricultural population; and

WHEREAS, The products of such industry, and particularly milk, are basic and necessary foods of paramount importance to the health and well being of the people of the state; and

WHEREAS, The price received by the farmer and dairyman for milk is approximately two (2) cents to three (3) cents per quart and the price at which it is sold to the consumer is ten (10) cents to twelve (12) cents per quart; and

WHEREAS, It is evident to the senate that the disparity in these prices, and similar inequality in the production and retail prices of other dairy products, is too great and unwarranted:

Now Therefore, Be It Resolved, That a special committee consisting of seven (7) members of the senate, all of whom should be members of the agricultural committee, be selected by the president of the senate for the purpose of conducting an investigation of the business of producing, manufacturing, processing, transporting, buying, selling and distributing milk and dairy products with particular reference to the costs of same and particularly to the purchasing and selling costs of said products; and

Be It Further Resolved, That said committee shall be authorized to hold sessions at the state capitol or elsewhere; to subpoena and examine witnesses under oath; compel the attendance of witnesses; administer oath; compel the production of books and papers; compel all persons, as deemed necessary by said committee, to appear before said committee, and there give testimony under oath; and to employ counsel, stenographers, reporters, clerks and investigators and accountants; and

Be It Further Resolved, That said committee shall have power to pay such counsel, stenographers, reporters, clerks, investigators and accountants such fees as they may deem proper together with witness fees and expense accounts of said committee upon vouchers signed by the chairman of this committee; and

Be It Further Resolved, That said committee shall forthwith make a report of its findings and recommendations immediately upon completion of its investigation.

Senator Schroeder moved the adoption of the resolution.

Senator Drumheller moved that the resolution be referred to the Committee on Agriculture.

Senators Kyle, Drumheller and Maxwell demanded the previous question.

The previous question was ordered.

The motion by Senator Drumheller to refer the Senate Resolution by Senator Schroeder carried.

REPORTS OF STANDING COMMITTEES

The Secretary read:

Senate Chamber,
Olympia, Wash., January 20, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 68 have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Robert T. McDonald, Paul G. Thomas.

Senate Bill No. 42:

The Committee on Insurance recommended that Senate Bill No. 42 do pass. The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 47:

The Committee on Rules and Joint Rules recommended that Senate Bill No. 47 be re-referred to the Committee on Social Security.

On motion of Senator Drumheller, the report of the Committee on Rules and Joint Rules was adopted.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 20, 1939.

MR. PRESIDENT:

The Speaker has signed House Concurrent Resolution No. 1, also House Concurrent Resolution No. 2, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Concurrent Resolution No. 1 and House Concurrent Resolution No. 2.

INTRODUCTION OF BILLS

Senate Bill No. 89, by Senators Bloomer and Troy, entitled: "An Act relating to and establishing a primary state highway to be known as the Raymond-Oakville-Olympia State Highway in Pacific, Grays Harbor and Thurston counties."

The bill was read the first time, and on motion of Senator Bloomer the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 90, by Senator Kerstetter, entitled: "An Act providing for a budget system of first and second class counties for making and controlling county estimates, tax levies and expenditures, amending sections 3997-3 and 3997-4, of Remington's Revised Statutes, and adding new sections thereto to be known as 3997-4a, 3997-4b, 3997-4c and 3997-4d."

The bill was read the first time, and on motion of Senator Kerstetter the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 91, by Senator Kyle, entitled: "An Act relating to the custody of voting machines and the compensation of custodians thereof, and amending section 1 of chapter 85 of the Laws of 1935."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate Bill No. 92, by Senators Metcalf and Percival, entitled: "An Act relating to and authorizing the extension and operation of any municipally owned street railway or motor bus line to points outside of the corporate boundaries of any city and amending section 1 of chapter 138 of the Laws of 1919."

The bill was read the first time, and on motion of Senator Metcalf the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

Senate Bill No. 93, by Senator Wanamaker (By Departmental Request), entitled: "An Act relating to food and shellfish, defining the powers of the director of fisheries in relation thereto, amending sections 108 and 110 of chapter 7, Laws of 1921, and declaring an emergency."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

On motion of Senator Wanamaker, the usual number of copies of Senate Bill No. 93 were ordered printed.

Senate Bill No. 94, by Senator Kerstetter, entitled: "An Act relating to the preparation of jury lists and the selection of jurors, prescribing duties of county assessors and certain other officers in connection therewith, and providing for the finance thereof, amending section 96 of Remington's Revised Statutes, and declaring an emergency."

The bill was read the first time, and on motion of Senator Kerstetter the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 95, by Senators Wanamaker and Haddon, entitled: "An Act relating to slot or pin-ball machines, defining crimes, prescribing penalties for violation thereof, repealing chapter 119 of the Session Laws of 1937, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Morals.

Senate Bill No. 96, by Senator Kyle, entitled: "An Act providing for the retirement of policemen for pension purposes and amending section 9582, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

Senate Bill No. 97, by Senators Metcalf and Kyle, entitled: "An Act to secure the attendance of witnesses from without a state in criminal proceedings." The bill was read the first time, and on motion of Senator Metcalf the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 98, by Senator Reardon, entitled: "An Act relating to the acquiring, seeding, reforestation and administration of lands for state forests; providing for the issuance and disposition of \$300,000 of utility bonds therefor; and amending section 2 of chapter 104 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Forestry and Logged-Off Lands.

Senate Bill No. 99, by Senator Lovejoy, entitled: "An Act creating a committee to contract for the purchase of certain lands in Snohomish county, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Penal and Reformatory Institutions.

Senate Bill No. 100, by Senators Moe and Troy, entitled: "An Act relating to extrahazardous employments and to the compensation and remedies of workmen injured therein, and of their dependents and beneficiaries in case of death, and to the medical aid of workmen injured and safety of workmen engaged in such employments, amending sections 2 and 3 of chapter 132 of the Laws of 1929 and section 9, chapter 310 of the Laws of 1927."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Industrial Insurance.

Senate Bill No. 101, by Senators Troy and Moe, entitled: "An Act relating to appeals to the superior court from decisions of the joint board of the department of labor and industries and providing for trial by jury as in actions at law."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 102, by Senator Morgan, entitled: "An Act amending section 52, chapter 130 of the Laws of 1925, Extraordinary Session, relating to the assessment of property for taxation purposes."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 103, by Senator Schroeder, entitled: "An Act relating to cut over lands, providing for abatement of fire hazards thereon, and amending section 1 of chapter 134, Laws of 1929."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Forestry and Logged-Off Lands.

Senate Bill No. 104, by Senator McAulay (By Request), entitled: "An Act relating to writs of garnishment issued out of justice courts; providing the manner of service when directed to banks or banking associations maintaining branch offices; and amending section 6 of chapter 160 of the Session Laws of 1909, being section 1828 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 105, by Senator McAulay (By Request), entitled: "An Act relating to banks maintaining branch banks or branch banking offices; requiring the presentation at such branch bank or banking office of all checks, notes, trade acceptances, orders for payment and stop payment orders, confirmations or renewals relating to or to be paid out of any account or deposit maintained at such branch bank or banking office, and requiring that tender of payment of any note, draft or trade acceptance payable at or drawn on or acceptable at any branch bank or banking office shall be made at such branch bank or banking office."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, and referred to the Committee on Banks and Banking.

On motion of Senator McAulay, the usual number of copies of Senate Bills Nos. 104 and 105 were ordered printed.

On motion of Senator Drumheller, Senator Rosellini was excused from tomorrow's session of the Senate.

At 11:45 o'clock a. m., on motion of Senator Orndorff the Senate adjourned until 10:00 o'clock a. m., tomorrow.

KEIRON W. REARDON, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

SIXTEENTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 24, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators Drumheller and Rosellini, who were excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Walter G. Comin, of the United Presbyterian Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

SENATE RESOLUTION

By Senator Duggan:

BE IT RESOLVED by the Senate that Senate Rule 65 be amended to read as follows:

RULE 65. No standing rule or order of this Senate shall be rescinded or changed without a vote of *two-thirds* of the members, and one day's notice of the motion thereof; but a rule of order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called, and after due notice from the president, no objection is offered, he may announce the rule suspended, and the senate may proceed accordingly; but this shall not apply to that portion of rule 20 relating to the third reading of bills, which cannot be suspended.

Senator Bloomer moved to amend the Resolution as follows:

On line 7 insert the word "majority" before the word "vote". Delete the word "two" at the end of said line. On line 8 delete the first word "thirds".

Senator Atkinson moved the previous question, seconded by Senators Orndorff, Keeler and McAulay.

The previous question was ordered.

Senators Reardon, Todd, Wanamaker, Troy, Bloomer, Kyle, Atkinson, Orndorff and Maxwell demanded a roll call on the motion by Senator Bloomer.

A roll call was ordered.

The amendment offered by Senator Bloomer lost by the following vote:

Those voting aye were: Senators Bloomer, Murphy, Sieler and Thomas—4.

Those voting nay were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller,

Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Stinson, Sullivan, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Drumheller, Malstrom and Rosellini—3.

Senator Duggan moved the adoption of the resolution.

Senator Maxwell, seconded by Senators Reardon and Koontz, demanded the previous question.

The previous question was ordered.

The motion of Senator Duggan carried.

Senator Farquharson moved that the calendar of the day be placed on the desks of the members of the Senate not later than eight o'clock the night preceding the day that the bills will be considered.

Senators Maxwell, Kyle, Murphy and Henderson demanded the previous question.

The previous question was ordered.

The motion of Senator Farquharson carried.

The Secretary read:

SENATE RESOLUTION

By Committee on Agriculture: Creating a special committee to make an investigation of the costs of producing, processing and distributing milk and dairy products and giving said committee certain powers.

Be It Resolved, By the Senate of the State of Washington in Legislative Session Assembled:

THAT WHEREAS, The dairy industry is one of the major industries of the State of Washington and an important source of revenue to a large portion of the state's agricultural population; and

WHEREAS, The products of such industry, and particularly milk, are basic and necessary foods of paramount importance to the health and well being of the people of the state; and

WHEREAS, The price received by the farmer and dairyman for milk is approximately two (2) cents to three (3) cents per quart and the price at which it is sold to the consumer is ten (10) cents to twelve (12) cents per quart; and

WHEREAS, It appears to the senate that the disparity in these prices, and similar inequality in the production and retail prices of other dairy products, is too great and unwarranted;

Now Therefore Be It Resolved, That a special committee consisting of three (3) members of the senate to be selected by the president of the senate for the purpose of conducting an investigation of the business of producing, manufacturing, processing, transporting, buying, selling and distributing milk and dairy products with particular reference to the costs of same and particularly to the purchasing and selling costs of said products; and

Be It Further Resolved, That said committee shall be authorized to hold sessions at the state capitol or elsewhere; to subpoena and examine witnesses under oath; compel the attendance of witnesses; administer oath; compel the production of books and papers; compel all persons, as deemed necessary by said committee, to appear before said committee, and there give testimony under oath; and to employ counsel, stenographers, reporters, clerks and investigators and accountants; and

Be It Further Resolved, That said committee shall have power to pay such counsel, stenographers, reporters, clerks, investigators and accountants such fees as they may deem proper together with witness fees and expense accounts of said committee upon vouchers signed by the chairman of this committee: *Provided,* That the expenses of said investigation shall not exceed One Thousand Dollars (\$1,000.00), and

Be It Further Resolved, That said committee shall make a report of its findings and recommendations not later than the forty-fifth (45th) day of the session.

Senator McMillan moved the adoption of the resolution.

The motion of Senator McMillan carried.

The President appointed Senators Schroeder, McMillan and Mills to act as a committee under the preceding resolution.

Senator Reardon moved that the Committee be confirmed.

The motion by Senator Reardon carried.

President Pro Tempore Reardon assumed the chair.

The Secretary read:

Senate Joint Memorial No. 5, by Senator Thomas: Relating to a Congressional appropriation to continue the Works Progress Administration program.

The memorial was read the first time, and on motion of Senator Thomas the rules were suspended, the memorial was read the second time and referred to the Committee on Memorials.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 52:

The Committee on Judiciary recommended that Senate Bill No. 52 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 41:

The Committee on Judiciary recommended that Senate Bill No. 41 be re-referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

Senator Reardon moved that the report of the committee be adopted.

The motion carried.

Senate Bill No. 41 was re-referred to the Committee on Medicine, Dentistry Pure Food and Drugs.

Senate Bill No. 10:

The Committee on Judiciary recommended that Senate Bill No. 10 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 13:

The Committee on Judiciary recommended that Senate Bill No. 13 do pass with a certain amendment.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 23, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 9, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., January 23, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 12 with the following amendments:

"In section 1, lines 16 and 17, page 1 of the original bill, being lines 13 and 14, page

1 of the printed bill, after the word 'vicinity' and before the semi-colon ';' strike the words 'west of Snoqualmie Pass' and insert in lieu thereof the words 'of Issaquah.' "

"In section 2, line 10, page 2 of the original bill, being line 4, page 2 of the printed bill, after the word 'the' and before the word 'end' strike the word 'westerly' and insert in lieu thereof the word 'easterly.' "

"In section 4, lines 13, 14 and 15, page 3, of the engrossed bill, being lines 12, 13 and 14 of the mimeographed Senate amendment to the printed bill, after the word 'with' in line 13 of the engrossed bill, being line 11 of the mimeographed amendment to the printed bill, strike the remainder of the section and insert in lieu thereof the following 'the Lake Washington Bridge and/or the Tacoma Narrows Bridge.' ", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Maxwell, the Senate concurred in the House amendments.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 12, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Murfin, Orndorff, Percival, Roup, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Those voting nay were: Senators Dawson, Mills, Morgan, Reardon, Sieler and Stinson—6.

Absent or not voting: Senators Keller, Murphy, Roberts and Rosellini—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF BILLS

Senate Bill No. 106, by Senator Dawson, entitled: "An Act relating to inheritance taxes; exempting transfers to religious and certain non-profit corporations and associations from the payment of such taxes and amending section 9 of chapter 134 of the Laws of 1931."

The bill was read the first time, and on motion of Senator Dawson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 107, by Senator Rosellini, entitled: "An Act relating to the employment of household or domestic employees, providing minimum wages, amending section 2 of chapter 129 of the Laws of 1937, and amending said chapter by adding three new sections thereto to be known as sections 5, 6, and 7."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate Bill No. 108, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act regulating the taking of eulachon, smelt, candlefish or herring in the State of Washington, providing a license fee for the commercial taking thereof, amending section 51B of chapter 31, Laws of 1915, as enacted in and by section 2, chapter 133, Laws of 1931, being section 5704B, Remington's Revised Statutes, and declaring an emergency."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

Senate Bill No. 109, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to tuna, providing for a privilege fee thereon, defining offenses, providing penalties and creating a lien on canneries, packing plants, warehouses, scows and boats, and declaring that this act shall take effect March 31st, 1939."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

Senate Bill No. 110, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to flood control and the powers and duties of the supervisor of hydraulics relative thereto and amending sections 6 and 7, chapter 159, Laws of 1935."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Flood Control.

Senate Bill No. 111, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to water and water rights and works and structures for the control and storage of water and the flowage thereof and amending section 36 of chapter 117, Laws of 1917."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

Senate Bill No. 112, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to railroad and highway crossings; amending chapter 30 of the Laws of 1913, as amended, by adding thereto two new sections to be known as section 8, providing that the Department of Public Service may require that log-hauling cars operated by a railroad be equipped with reflector buttons or other warning devices, and section 9, providing for reports of accidents at grade crossings, and declaring an emergency."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Railroads and Transportation.

Senate Bill No. 113, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to taxation amending sections 4, 11, 15(a), 17, 18, 19, 21, 25, 27, 32, 35, 45, 47, 84, 87, 89, 188, 193, 199, 210(a) and 219 of chapter 180, Laws of 1935; (sections 8370-4, 8370-11, 8370-15(a), 8370-17, 8370-18, 8370-19, 8370-21, 8370-25, 8370-27, 8370-32, 8370-35, 8370-45, 8370-47, 8370-84, 8370-87, 8370-89, 8370-188, 8370-193, 8370-199, 8370-210(a) and 8370-219, Remington's Revised Statutes); as amended by chapter 191, Laws of 1937, and chapter 227, Laws of 1937, repealing section 8 of chapter 180, Laws of 1935; (section 8370-8, Remington's Revised Statutes); and adding a new section thereto and declaring that this act shall take effect May 1, 1939."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

Senate Bill No. 114, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to state government and state institutions, providing for the establishment and operation of a public institution for the treatment and care of persons afflicted with Buergers disease and for experimental and scientific study of such disease and the medicinal and curative properties of the waters of Soap Lake, making an appropriation, and declaring this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Charitable Institutions.

Senate Bill No. 115, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to alien and non-resident insane, feeble minded, and epileptic persons, providing for their deportation, making it unlawful to bring or aid in bringing an insane, feeble minded, or epileptic person into the state without having obtained permission and providing a penalty therefor, and amending sections 6933, 6934, 6935 and 6936, Remington's Revised Statutes of Washington."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Senate Bill No. 116, by Senator Troy, entitled: "An Act relating to the presenting and auditing of claims for supplies and services furnished to the State of Washington, and counties and municipal corporations therein, and amending section 9, chapter 75, Laws of 1909, as amended by chapter 18, Laws of Extraordinary Session of 1909, the same being Remington's Revised Statutes, section 9959."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senator Reardon moved that the usual number of copies of all bills introduced by the Committee on Rules and Joint Rules be printed.

The motion carried.

Senate Bill No. 117, by Senator Schroeder, entitled: "An Act creating the motor vehicle license insurance fund for the purpose of compensating persons injured by motor vehicles, providing for the payment of an additional motor vehicle license fee, establishing benefits, and conferring certain powers upon the director of labor and industries."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 118, by Senator Troy, entitled: "An Act relating to the purchase of wine from state liquor stores by holders of licenses to sell at retail; providing for a discount on purchases of forty per cent from current retail prices and amending section 8 of chapter 62, Extraordinary Session Laws of 1933, and section 1 of chapter 217, Laws of 1937."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Liquor Control.

Senate Bill No. 119, by Senator Troy, entitled: "An Act relating to the tenure of office of county commissioners and amending sections 1, 2, 3, 4 and 5 of chapter LXVII of the Laws of 1891."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Engrossed House Bill No. 9, by Representative Hurley, entitled: "An Act relating to the publication of notice to creditors by executors or administrators and amending section 3 of chapter 142 of the Laws of 1923."

The engrossed bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

GENERAL FILE

Senate Bill No. 16:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 18, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 16, entitled: "An Act relating to the duties and liabilities of guardians of estates and amending section 205, chapter 156 of the Laws of 1917," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Clifford O. Moe, Mary Farquharson, Geo. F. McAulay, Herbert H. Sieler, A. M. Murfin, Earl Maxwell, Ralph Metcalf, Leroy L. Todd, H. I. Kyle, F. L. Morgan, Albert D. Rosellini, Judson W. Shorett.

The bill was read the third time.

Senator Morgan moved to amend the bill as follows:

Amend section 1, line 20, page 1 of the original bill, same being section 1, line 13, page 1 of the printed bill, after the word "proceeding" and before the word "to" insert the following: "brought against him".

The motion carried.

Senator Shorett moved to amend the bill as follows:

Strike "it shall be the duty of" and the word "to" and insert after the word "court" the word "may"

The motion lost.

Senator Bloomer moved to amend the bill as follows:

At end of section 3 add the following: "said guardian shall every 90 days file with the Court a statement of cash on hand; said statement to be verified by the bank depository of said funds."

Senators Klemgard, McAulay and Duggan demanded the previous question.

The previous question was ordered.

The motion of Senator Bloomer lost.

Senators Farquharson, Klemgard and Murfin demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 16, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Absent or not voting: Senators Keeler and Rosellini—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 24, by Committee on Medicine, Dentistry, Pure Food and Drugs, entitled: "An Act to prohibit the sale, gift, barter, exchange or distribution of amytal, luminal, veronal, barbital, acid diethylbarbituric and para-amino-benzene sulfanamide and their derivatives, and providing a penalty for the violation thereof," was read the third time.

Senator Maxwell moved to amend the bill as follows:

Amend section 1, line 14, of the printed bill, being line 24 of the original bill, by striking the colon ":", and inserting a semi-colon ";", and adding the following words: "unless he in his discretion determines that the user thereof is not addicted to the use of such drugs and so states on the original order or prescription:"

On motion of Senator Morgan, the amendment was laid on the table.

Senator Henderson moved to amend the bill as follows:

Section 1, line 6, being line 14 of the original bill. Change the word "four" to the word "one".

On motion of Senator Keller, the amendment was laid on the table.

Senator Maxwell moved that Senate Bill No. 24 be re-referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

The motion carried.

Senate Bill No. 50:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 18, 1939.

MR. PRESIDENT:

We, your committee on Agriculture, to whom was referred Senate Bill No. 50, entitled: "An Act relating to inspection of bakeries, and amending section 8 of chapter 137 of the Laws of 1937," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

D. E. McMILLAN, *Chairman.*

We concur in this report: Ted Schroeder John H. Ferryman, Henry J. Copeland, Howard Roup, A. M. Murfin.

The bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 50 and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Keller, Moe, Orndorff and Rosellini—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Joint Memorial No. 2, by Senators Todd and Keeler, "Relating to the General Welfare Act and adequate provision for old age assistance."

On motion of Senator Kyle, Senate Joint Memorial No. 2 was re-referred to the Committee on Memorials.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 12, have compared same with the Engrossed Bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Mary Farquharson, W. C. Dawson, Monty Percival, A. M. Murfin.

At 12:30 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

SEVENTEENTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Wednesday, January 25, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Roup.

Reverend Walter G. Comin, of the First United Presbyterian Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Concurrent Resolution No. 2, by Senator Wanamaker:

Be It Resolved, That, Whereas, Fifty years ago the State of Washington was admitted to the Union; and

WHEREAS, February twenty-second, George Washington's birthday, has been selected as the date on which to commemorate the Golden Jubilee of the state; and

WHEREAS, It is necessary that a committee to be known as the Golden Jubilee Committee be appointed to make such preparations as may be necessary to properly commemorate said occasion;

Now, Therefore, Be It Resolved, By the Senate of the State of Washington, the House concurring, that a committee to be known as a Golden Jubilee committee be set up and established to consist of five senators to be appointed by the president of the Senate and five representatives to be appointed by the speaker of the House.

On motion of Senator Wanamaker, the resolution was adopted.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

The House has passed Senate Joint Memorial No. 4, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk*.

MOTION

Senator Farquharson moved that instead of the rule adopted yesterday, with reference to placing the calendar on the desks of the Senators not later than eight o'clock p. m. on the day preceding the hearing of the calendar, that, in lieu thereof, the motion be made to read that the calendar shall be placed on the desks of the Senators not later than an hour after the Committee on Rules had adjourned for the day or not later than eight o'clock in the morning of the day on which the bills are to be considered.

The motion carried.

Senator Haddon assumed the chair.

The Secretary read:

Senate Joint Resolution No. 5, by Senator Reardon: Providing for the submission of a proposal to amend the Constitution of the state of Washington with respect to the state auditor, and amending section 20 of Article III thereof.

The resolution was read the first time, and on motion of Senator Reardon the rules were suspended, the resolution was read the second time by title, ordered printed and referred to the Committee on Constitutional Revision.

The Secretary read:

Senate Joint Resolution No. 6, by Senator Reardon: Providing for the submission of a proposal to amend the Constitution of the state of Washington with respect to the abolition of the office of state auditor, and amending section 25 of Article III thereof.

The resolution was read the first time, and on motion of Senator Reardon the rules were suspended, the resolution was read the second time by title, ordered printed and referred to the Committee on Constitutional Revision.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Joint Memorial No. 4 have compared same with the original memorial and find it correctly enrolled.
Respectfully submitted,

Geo. A. LOVEJOY, *Chairman*.

We concur in this report: Monty Percival, Mary Farquharson, A. M. Murfin.

On motion of Senator Lovejoy, the report of the committee was adopted.

Senate Chamber,
Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 16 have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Harold P. Troy, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

Senate Bill No. 43:

The Committee on Labor and Labor Statistics recommended that Senate Bill No. 43 do pass as amended.

The report of the Committee, together with the bill, was placed on general file.

President Meyers assumed the chair.

Senate Bill No. 24:

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 24 do pass with certain amendments.

The report of the Committee, together with the bill, was placed on general file.

INTRODUCTION OF BILLS

Senate Bill No. 120, by Senator Schroeder, entitled: "An Act relating to the state soldiers' home and the colony of the state soldiers' home; amending section 3 of chapter 106, of the Laws of 1915, as amended by section 1 of chapter 276 of the Laws of 1927; and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Charitable Institutions.

Senate Bill No. 121, by Senator Troy, entitled: "An Act relating to education; providing for the continuous employment of certificated teachers and certain other employees of school districts; providing for probation of teachers; prescribing grounds for and the manner of their discharge or discipline; regulating leaves of absence and resignations; creating a tenure commission, providing for the appointment and qualification of members thereof, and prescribing its powers and duties; creating a teachers revolving fund; making an appropriation; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 122, by Senator McDonald, entitled: "An Act relating to the collection of personal property taxes, amending section 4 of chapter 30 of the Laws of 1935, conferring certain powers on county treasurers, including the power to postpone sales of property upon distraint, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 123, by Senators Kyle and Farquharson, entitled: "An Act relating to insurance; defining terms; creating a state fire revolving fund; requiring that all fire insurance on certain public property in this state shall be carried in and through the state fire revolving fund; providing for administration of said fund and of this act; conferring certain powers and imposing certain duties upon the state insurance commissioner, the custodians of public property as herein defined and upon other officers; making an appropriation; prescribing penalties; repealing all laws in conflict herewith; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Insurance.

Senate Bill No. 124, by Senator Reardon, entitled: "An Act relating to county auditors issuing motor vehicle licenses and collecting fees therefor; providing that they must post a bond before so doing; and amending section 27 of chapter 188 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 125, by Senator Moe (By Executive Request), entitled: "An Act relating to irrigation districts comprising an area of two hundred thousand (200,000) or more acres of land, providing for dividing such districts into director divisions and for the election of directors from such divisions, on the board of directors of the irrigation district, limiting the amounts of district assessments which may be levied in any director division thereof in any one calendar year to two cents per acre under the conditions specified therein, repealing all laws or parts of same inconsistent or in conflict herewith, and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

Senate Bill No. 126, by Senator Moe (By Executive Request), entitled: "An Act relating to irrigation and reclamation districts and to the prevention of land speculation therein, consenting to, adopting, ratifying, authorizing and enacting the provisions of that certain Act of Congress of May 27, 1937, entitled 'An Act to prevent speculation in lands in the Columbia Basin prospectively irrigable by reason of the construction of the Grand Coulee Dam project and to aid actual settlers in securing such lands at the fair appraised value thereof as arid land, and for other purposes' in so far as the provisions of said Federal Act, or any of them, in whole or in part, may come within the scope of state jurisdiction or authority or be applicable to state lands, authorizing and empowering such irrigation and reclamation districts to comply with the provisions of this act, authorizing and directing the inclusion of state lands in such district, the acceptance of the appraisal of state lands under said federal act, and the sale thereof at public auction at not less than such appraised value and in parcels of not more than eighty (80) acres in any one parcel or more than eighty (80) acres to any one person, and providing for cooperation with the Secretary of the Interior in carrying out said act, authorizing boards of county commissioners to contract with the United States to

subject county owned lands in any such district to such act of Congress upon the terms agreed upon in such contract, providing that each section and provision of the act is separable from every other and no part thereof to be held invalid on account of the unconstitutionality of any other part, repealing all laws or parts of same inconsistent or in conflict herewith, and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

Senator Moe moved that the usual number of copies of Senate Bills Nos. 125 and 126 be printed, and that an additional 1000 copies of Senate Bills Nos. 125 and 126 be printed.

The motion carried.

Senate Bill No. 127, by Senator Moe (By Executive Request) entitled: "An Act authorizing the purchase by the state of two dormitory buildings for the Central Washington College of Education, providing for the subsequent operation or leasing thereof by the said institution and the repayment of the state general fund out of net revenue therefrom, defining the powers and duties of certain officers in connection therewith and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

On motion of Senator Moe, the usual number of copies of Senate Bill No. 127 were ordered printed.

Senate Bill No. 128, by Senator Kyle, entitled: "An Act relating to the excise tax upon the business of selling fuel oil and amending section 78 of chapter 180, Laws of 1935, as amended by section 1 of chapter 116, Laws of 1937 (section 8370-78 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 129, by Senator Klemgard, entitled: "An Act relating to public highways; establishing an extension of Primary State Highway No. 18; amending section 18 of chapter 190, Session Laws of 1937; providing for a survey and location; defining the duties of a certain state officer; and declaring an emergency."

The bill was read the first time, and on motion of Senator Klemgard the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 130, by Senator Klemgard (By Request), entitled: "An Act relating to savings and loan associations; limiting the amount an association may loan on the security of one property or to one person; and amending section 52, chapter 183 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Klemgard the rules were suspended, the bill was read the second time by title, and referred to the Committee on Financial Institutions Other Than Banks.

On motion of Senator Klemgard, the usual number of copies of Senate Bill No. 130 were ordered printed.

Senate Bill No. 131, by Senator Farquharson, entitled: "An Act relating to the organization of non-profit hospital service plans, defining their powers and duties, and providing for the regulation thereof."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Insurance.

Senate Bill No. 132, by Senator Sieler, entitled: "An Act relating to old-age assistance, amending sections 1, 2, 4, 5, and 6 of chapter 156 of the Laws of 1937, and section 12 of chapter 182 of the Laws of 1935, and repealing sections 15 and 21 of chapter 182 of the Laws of 1935."

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

The President signed Senate Joint Memorial No. 4 and Senate Bill No. 12.

GENERAL FILE

Senate Bill No. 70, by Committee on Parks and Playgrounds, entitled: "An Act transferring certain monies in and to be paid into the State Treasury and abolishing the shoreland improvement fund and defining the duties and powers of the state treasurer in connection therewith," was read the third time.

Senator Morgan moved that Senate Bill No. 70 be referred to the Committee on State Granted, School and Tide Lands.

Senator Farquharson moved that the motion by Senator Morgan to refer Senate Bill No. 70 to the Committee on State Granted, School and Tide Lands be laid on the table.

The motion carried.

Senator Kyle moved to amend the bill as follows:

Amend Sec. 2 by striking the entire section and re-number the following sections consecutively.

The motion carried.

Senator Morgan moved to amend Senate Bill No. 70 as follows:

Amend line 4 of section 1 of said bill by striking therefrom the words "Parks and Parkway Fund" and inserting therein the words "Common School Equalization Fund."

Senator Keller moved that the amendment be laid on the table.

The motion carried.

Senator Duggan moved to amend Senate Bill No. 70 as follows:

Amend Sec. 4, line 20 of the original bill, same being Sec. 4, line 12, page 1 of the printed bill by striking the word "general" and substituting in lieu thereof the words "parks and parkway."

The motion carried.

Senator Duggan moved to amend Senate Bill No. 70 as follows:

Amend Sec. 4, line 22 of the original bill, same being Sec. 4, line 13, page 1, of the printed bill by striking the word "general" and substituting in lieu thereof the words "parks and parkway."

The motion carried.

Senator Sieler moved to amend the title of Senate Bill No. 70 as follows:

Amend the title by striking period (.) at end of same and adding "and declaring an emergency."

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 70, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Absent or not voting: Senators Drumheller and Maxwell—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 42:

Senator McAulay assumed the chair.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 19, 1939.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 42, entitled: "An Act relating to insurance; requiring insurers to file annual statements; prescribing certain taxes and manner of computing the same; and amending section 26 of chapter 49 of the Laws of 1911, as amended by chapter 177, Laws of 1915, chapter 226, Laws of 1929, and chapter 43, Laws of 1937, (section 7071 of Remington's Revised Statutes); and declaring that this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman*.

We concur in this report: Mary Farquharson, W. R. Orndorff, Keel Murphy, W. C. Dawson, Albert D. Rosellini, Geo. A. Lovejoy, H. I. Kyle, C. F. Stinson.

The bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 42, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Absent or not voting: Senators Maxwell and Schroeder—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Meyers assumed the chair.

The President appointed Senators Wanamaker, Chairman; Orndorff, Metcalf, Ferryman and McDonald, as a committee for the Golden Jubilee celebration in the State of Washington.

On motion of Senator Kerstetter, the committee was confirmed.

On motion of Senator Reardon, the Secretary of the Senate was ordered to permit as many of the employees of the Senate as possible to attend the Legislative dance this evening.

At 11:00 o'clock a. m., on motion of Senator Orndorff, the Senate adjourned until 11:30 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate*.

EARLE M. McCROSKEY, *Secretary of the Senate*.

EIGHTEENTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Thursday, January 26, 1939.

The Senate was called to order at 11:30 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators Haddon and Malstrom, who were excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Walter G. Comin, of the First United Presbyterian Church of Olympia, offered prayer.

On motion of Senator Todd, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Memorial No. 6, by Senator Mills: Relating to an appropriation for the construction of a river wall on the Columbia River.

The memorial was read the first time, and on motion of Senator Mills the rules were suspended, the memorial was read the second time by title, ordered printed, and referred to the Committee on Flood Control.

The Secretary read:

Senate Joint Resolution No. 7, by Special Committee on Golden Jubilee: Relating to the Golden Jubilee; inviting the President of the United States to address a joint session of the Senate and House of Representatives on February 22, 1939.

The resolution was read the first time, and on motion of Senator Wanamaker the rules were suspended, the resolution was read the second time by title, read the third time, and placed on final passage.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 7, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Haddon, Malstrom and Schroeder—3.
The resolution, having received the constitutional majority, was declared passed.

The Secretary read:

Senate Joint Resolution No. 8, by Senator McAulay: Providing for an amendment of section 11 of article XII of the constitution of the State of Washington relating to the liability of stockholders in corporations, including banking corporations, for the debts and obligations of such corporations, and enabling the legislature to provide for the placing of the liability of stockholders of banking corporations organized under the laws of this state for the debts and obligations of such corporations upon a basis of equality with the liability of stockholders of national banking associations for the debts and obligations of such associations under the laws of the United States.

The resolution was read the first time, and on motion of Senator McAulay, the rules were suspended, the resolution was read the second time by title, ordered printed, and referred to the Committee on Banks and Banking.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 8:

A majority of the Committee on Agriculture recommended that Senate Bill No. 8 do pass with certain amendments.

A minority of the Committee on Agriculture reported Senate Bill No. 8 back without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 87:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Senate Bill No. 87 do pass.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 51:

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 51 do pass.

A minority of the Committee on Revenue and Taxation recommended that Senate Bill No. 51 do not pass.

The reports of the Committee, together with the bill, were placed on general file.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 25, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 12, also Senate Joint Memorial No. 4, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., January 25, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Concurrent Resolution No. 1 with the following amendment:

"Amend the Senate amendatory matter as follows: After the word 'a' and before the word 'vote' strike the word 'majority' and insert in lieu thereof the word 'two-thirds' ", and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

Senator Drumheller moved that the Senate do concur in the House amendment to Engrossed Senate Concurrent Resolution No. 1.

The motion by Senator Drumheller carried.

On motion of Senator Drumheller, the resolution as amended by the House was adopted.

On motion of Senator Wanamaker, the rules were suspended and Senate Joint Resolution No. 7 was ordered immediately transmitted to the House.

INTRODUCTION OF BILLS

Senate Bill No. 133, by Senators Shorett and Murfin, entitled: "An Act relating to the giving of proof of financial responsibility by owners and operators of for-rent motor vehicles, providing penalties for certain offenses and declaring when this act shall take effect."

The bill was read the first time, and on motion of Senator Shorett the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 134, by Senator Klemgard, entitled: "An Act authorizing cemetery maintenance districts and providing a procedure for the establishment and government thereof."

The bill was read the first time, and on motion of Senator Klemgard the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 135, by Senator Roup, entitled: "An Act relating to free public libraries and the trustees thereof, providing for a special levy, establishing a fund, and amending section 8 and section 10 of and adding section 9a to chapter 119 of the Laws of 1935."

The bill was read the first time, and on motion of Senator Roup the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Libraries.

Senate Bill No. 136, by Senator Wanamaker, entitled: "An Act relating to the examination of witnesses and evidence, and amending section 392 of the Code of 1881 as amended by section 1, page 73, of the Laws of 1886."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 137, by Senator Troy, entitled: "An Act relating to and providing for a civil service system for certain officers and employees of cities and towns; providing for a board of civil service commissioners and defining its powers and duties in connection therewith; prescribing penalties; and repealing chapters 13 and 59, Laws of 1937, and chapter 31, Laws of 1935."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 138, by Committee on Insurance, entitled: "An Act relating to life insurance policy loans and advances, the computation of interest thereon, providing the remedy for the collection of such interest, and amending chapter 49, Laws of 1911 as amended, the same being sections 7032 to 7298 inclusive, Remington's Revised Statutes, by adding thereto a new section to be known as section 184-A."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate Bill No. 139, by Senator Schroeder, entitled: "An Act relating to garnishment proceedings in the superior court, providing for advance fees, and amending section 1 of chapter 110 of the Laws of 1931."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 140, by Senator Reardon, entitled: "An Act to prevent suffering of domestic animals injured by motor vehicles; imposing certain duties on vehicle operators and prescribing penalties."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 141, by Senators Lovejoy and Sieler, entitled: "An act relating to the investment and management of trust funds; amending sections 1 and 3 of chapter 37, Extraordinary Session of 1933, as amended by chapter 11 of the Laws of 1935."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Banks and Banking.

Senate Bill No. 142, by Senators Lovejoy and Sieler, entitled: "An Act relating to and regulating investments by mutual savings banks and amending section 3a of chapter 74 of the Laws of 1929, as inserted by and contained in section 1, chapter 10, Laws of 1935."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Banks and Banking.

Senate Bill No. 143, by Senator Drumheller, entitled: "An Act relating to police relief and pension funds and repealing section 3 of chapter 39 of the Laws of 1909 as amended."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 144, by Senator Drumheller, entitled: "An Act relating to county sheriffs and their deputies, prescribing duties in respect to public peace, providing for payment of expenses, amending section 2769 of the Code of 1881 and declaring an emergency."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

GENERAL FILE

Senate Bill No. 10:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 10, entitled: "An Act relating to the designation of taxes and assessments," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, F. L. Morgan, Herbert H. Sieler, Leroy L. Todd, Harold P. Troy, H. I. Kyle, Geo. F. McAulay, Mary Farquharson, Clifford O. Moe, Albert D. Rosellini.

On motion of Senator Orndorff, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 10, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Drumheller, Haddon and Malstrom—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 13:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 23, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 13, entitled: "An Act validating tax levies made in any city or town prior to the 14th day of May, 1925, for the creation of a revolving or guaranty fund to guarantee the payment of local improvement bonds or warrants issued within any such city or town prior to said date, and subsequent to the date of any such tax levies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend line 1 of the title of the printed bill, being line 2 of the title of the original bill by striking "1925" and inserting in lieu thereof the following: "1926".

Amend line 2 of section 1 of the printed bill, being line 8, section 1 of the original bill by striking "1925", and inserting in lieu thereof the following: "1926".

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Herbert H. Sieler, Leroy L. Todd, H. I. Kyle, F. L. Morgan, Geo. F. McAulay, Mary Farquharson, Clifford O. Moe.

On motion of Senator Sieler, the report of the committee was received and the bill was read the third time.

On motion of Senator Sieler, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 13, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Drumheller, Farquharson, Haddon and Malstrom—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 12:10 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

NINETEENTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Friday, January 27, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Haddon, who was excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant-Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Walter G. Comin, of the First United Presbyterian Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Resolution No. 9, by Senator Kyle: Relating to a new and additional section to be added to and made a part of article XXIII of the

Constitution of the State of Washington, which section shall be known as section 4.

The resolution was read the first time, and on motion of Senator Kyle the rules were suspended, the resolution was read the second time, ordered printed and referred to the Committee on Constitutional Revision.

The Secretary read:

Senate Joint Resolution No. 10, by Senators Wanamaker and Stinson: Providing for the submission to the electors of a proposal to amend the Constitution of the State of Washington with respect to the subject of taxation and special assessments; repealing section 12, article XI, and amending article VII by amending sections 1 and 9 thereof and adding thereto two new sections to be designated sections 2 and 3 thereof.

The resolution was read the first time, and on motion of Senator Wanamaker the rules were suspended, the resolution was read the second time, ordered printed and referred to the Committee on Constitutional Revision.

The Secretary read:

Senate Joint Memorial No. 7, by Senator Maxwell: Relating to the exemption of vessels under 200 tons gross tonnage from the provisions of Treaty Draft Convention No. 53.

The memorial was read the first time, and on motion of Senator Maxwell the rules were suspended, the memorial was read the second time, ordered printed and referred to the Committee on Memorials.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., January 25, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 70, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

Senate Chamber,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 13, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

The Secretary read:

Senate Chamber,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Concurrent Resolution No. 1, have compared same with the engrossed resolution and find it correctly enrolled.

Respectfully submitted,
GEO. A. LOVEJOY, *Chairman*.

We concur in this report: Monty Percival, W. C. Dawson, A. M. Murfin.

On motion of Senator Lovejoy, the report of the committee was adopted.

Senate Bill No. 106:

The Committee on Revenue and Taxation recommended that Senate Bill No. 106 do pass.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 47:

A majority of the Committee on Social Security recommended that Substitute Senate Bill No. 47 be substituted for Senate Bill No. 47, and that it do pass.

A minority of the Committee on Social Security reported Senate Bill No. 47 back to the Senate without recommendation.

Senator Koontz moved that the majority report be adopted.

Senator Kerstetter moved that the motion of Senator Koontz be laid on the table.

Senator Koontz withdrew his motion.

Senate Joint Memorial No. 6:

The Committee on Flood Control recommended that Senate Joint Memorial No. 6 do pass.

The report of the Committee, together with the memorial, was placed on general file.

Senate Bill No. 80:

The Committee on Judiciary recommended that Senate Bill No. 80 do pass.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 79:

The Committee on Judiciary recommended that Senate Bill No. 79 do pass with certain amendments.

The report of the Committee, together with the bill, was placed on general file.

Substitute Senate Bill No. 47:

Senator Sieler moved that Substitute Senate Bill No. 47 be accepted, introduced and printed in the regular course of business and placed on general file.

The motion carried.

Senate Bill No. 117:

The Committee on Roads and Bridges recommended that Senate Bill No. 117 do pass with certain amendments.

On motion of Senator Schroeder, Senate Bill No. 117 was re-referred to the Committee on Judiciary.

Senate Bill No. 73:

The Committee on Roads and Bridges recommended that Senate Bill No. 73 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 72:

The Committee on Roads and Bridges recommended that Senate Bill No. 72 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 4, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

The House has adopted Senate Concurrent Resolution No. 2 and the Speaker has appointed as the House members of the Golden Jubilee Committee provided therein, Representatives Payne, Hurley (John R.), Hay, Finucane, and Eaton, and the Resolution is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 11, also House Bill No. 58, also Engrossed House Joint Memorial No. 4, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate Bill No. 145, by Senators McAulay and Murfin, entitled: "An Act relating to public highways, describing and designating Primary State Highway No. 3, or the Inland Empire Highway, and amending section 3 of chapter 190 of the Laws of 1937."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 146, by Senator Keeler, entitled: "An Act relating to state lands and providing for the elimination of certain tracts from the reservation made by chapter 175 of the Session Laws of 1933."

The bill was read the first time, and on motion of Senator Keeler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate Bill No. 147, by Senator Copeland, entitled: "An Act relating to secondary state highways and amending section 4 of chapter 207 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Copeland the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 148, by Senator McMillan, entitled: "An Act relating to public utility districts, amending sections 4 and 5 of chapter 1 of the Laws of 1931."

The bill was read the first time, and on motion of Senator McMillan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

Senate Bill No. 149, by Senator Moe, entitled: "An Act authorizing cities of the first and second class to license persons to accept bets upon horse races held outside of the State of Washington, and repealing all acts or parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Morals.

Senate Bill No. 150, by Senator Maxwell, entitled: "An Act relating to the reimbursement of the mayor and city councilmen of third and fourth class cities for expenses incurred in the discharge of their official duties, and to the payment of salaries to said officers, and amending section 7 of chapter 184 of the Laws of 1915 and section 6 of chapter 7, page 346, Laws of 1889-90."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations Other Than First Class.

Senate Bill No. 151, by Senator Maxwell, entitled: "An Act relating to and regulating the maintenance and operation of hospitals by counties, and counties and cities jointly, amending section 1, section 2, section 4 and section 7 of chapter 139 of the Laws of 1931, and amending section 1 of chapter 174 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Charitable Institutions.

Senate Bill No. 152, by Senator Maxwell, entitled: "An Act relating to gambling; authorizing the licensing thereof by cities of the first class and class A and first class counties; legalizing the same; providing for the construction of certain other acts; and repealing all acts or parts of acts in so far as they are inconsistent herewith."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Morals.

Senate Bill No. 153, by Senators Lovejoy and McAulay (by request), entitled: "An Act relating to the care and assistance of the blind; requiring special employees; exempting certain property in determining eligibility for assistance; limiting the time for investigation of applications; giving state medical care and hospitalization; providing for costs on appeal; prescribing penalties for officers and employees; and amending sections 2, 8, 10, 13 and 15 of chapter 132 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Social Security.

On motion of Senator Lovejoy, the usual number of copies of Senate Bill No. 153 were ordered printed.

Senate Bill No. 154, by Senators Lovejoy and McAulay, entitled: "An Act relating to the prevention of cruelty to animals, and amending chapter 146 of the Laws of 1901, and chapter 27 of the Laws of 1893, and providing penalty for the violation thereof."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 155, by Senator Wanamaker, entitled: "An Act appropriating the sum of one million four hundred thousand dollars (\$1,400,000) from the general fund to the state school equalization fund; providing for distribution of same; and declaring an emergency."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 156, by Senator Wanamaker, entitled: "An Act appropriating the sum of three million six hundred thousand dollars (\$3,600,000) from the general fund to the current state school fund, and declaring an emergency."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 157, by Senator McDonald, entitled: "An Act relating to and providing for the purchase and disposition of certain delinquent local improvement district and condemnation award fund bonds and warrants by cities and towns; authorizing the creation of a special revolving fund therefor; and the levying of taxes for the support thereof."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 158, by Senator Voyce, entitled: "An Act relating to fishing; prohibiting the taking of fish, including salmon, for commercial purposes by any other means than hook and line; excepting the department of fisheries of the State of Washington; providing penalties for the violation thereof; repealing all acts or parts of acts in conflict therewith; and declaring an emergency."

The bill was read the first time, and on motion of Senator Voyce the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate Bill No. 159, by Senators Percival and Troy, entitled: "An Act providing restrictions as to refusal of patients by hospitals organized as charitable institutions; prohibiting restrictions as to such patient's attending physician's use of such facilities while caring for patients confined therein and providing for penalties for violations thereof."

The bill was read the first time, and on motion of Senator Percival the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Industrial Insurance.

Senate Bill No. 160, by Senator Moe, entitled: "An Act regulating the practice of architecture and amending sections 1 and 6 of chapter 205 of the Laws of 1919 (Remington's Revised Statutes, section 8270); and amending chapter 205 of the Laws of 1919 by adding thereto a new section to be known as section 1-A."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 161, by Senator Morgan, entitled: "An Act relating to the directors of flood control districts and amending section 53, chapter 160 of the Laws of 1935."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Flood Control.

Senate Bill No. 162, by Senator Holt (By Request), entitled: "An Act relating to city, town, county and regional planning and the creation, organization, duties and powers of planning commissions, amending section 5, chapter 44 of the Laws of 1935 (section 9322-5, Remington's Revised Statutes), amending chapter 44 of the Laws of 1935 (section 9322, Remington's Revised Statutes) by adding thereto two new sections to be numbered sections 9-A and 11-A, and providing for penalties for violations of this act."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Holt, the usual number of copies of Senate Bill No. 162 were ordered printed.

Senate Bill No. 163, by Senator Troy, entitled: "An Act relating to the taking and catching of salmon and other food fish, prescribing the waters within the State of Washington in which it shall be lawful to construct, install, use, operate and maintain pound nets, fishtraps, or set nets for the purpose of catching or taking of salmon and other food fish, providing for licensing of such fishing appliances and for the holding and renewing of such licenses, providing for the acquisition of and the owning and holding of locations for such fishing appliances, authorizing the Director of Fisheries to fix opened and closed seasons affecting all waters within the State of Washington, and to suspend the operation of commercial fishing gear and to regulate commercial fishing within said waters, requiring reports from operators of commercial fishing gear, amending sections 7 and 8 of and adding section 8a to chapter 1, Laws of 1935, being Initiative Measure No. 77 enacted by the people November 6, 1934, and declaring an emergency."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Substitute Senate Bill No. 47, by a Majority of the Committee on Social Security, entitled: "An Act relating to old age assistance, declaring legislative intent in relation thereto, defining the eligibility of persons entitled thereto and the basis for determining the amount of such assistance to be given in individual cases, barring certain claims and judgments as valid claims and judgments against the state and its political subdivisions, and declaring an emergency."

The bill was introduced and ordered printed.

Engrossed House Joint Memorial No. 4, by Representative Nordenberg: "Asking Congress to appropriate sufficient money for constructing a breakwater at Shil Shole Bay, Seattle."

The memorial was read the first time, and on motion of Senator Metcalf the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

House Concurrent Resolution No. 4, by Committee on Printing: "Relating to printing of Legislative Manual for the session of 1939."

The resolution was read the first time, and on motion of Senator Reardon, the rules were suspended, the resolution was read the second time by title, read the third time in full and placed on final passage.

On motion of Senator Reardon, the resolution was adopted.

Engrossed House Bill No. 11, by Representative Cameron, entitled: "An Act to prohibit the sale, gift, barter, exchange or distribution of amytal, luminal, veronal, barbital, acid diethylbarbituric and para-amino-benzene sulfonamide and their derivatives, and providing a penalty for the violation thereof."

The bill was read the first time, and on motion of Senator Henderson, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

House Bill No. 58, by Representative Bienz, entitled: "An Act relating to the preservation and inspection of drug and medical prescriptions and providing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Henderson, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, January 27, 1939.

Clarence D. Martin, Governor.

To the Honorable, The Senate of the State of Washington,

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bill, entitled: Senate Bill No. 12: "An Act relating to public highways; providing for additional highways in the primary state highway system; providing for the maintenance, operation and the inclusion in the primary state highway system of certain highway facilities being constructed by the Washington Toll Bridge Authority; defining the powers and duties of certain state officers; amending section 2 of chapter 190, Session Laws of 1937; section 14 of chapter 190, Session Laws of 1937; and section 15 of chapter 207, Session Laws of 1937; and declaring an emergency."

Very truly yours,

RICHARD HAMILTON,
Secretary to the Governor.

GENERAL FILE

Senate Bill No. 8:

Senator Reardon moved that Senate Bill No. 8 hold its place on the calendar for consideration Monday.

The motion carried.

Senate Bill No. 51:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 51, entitled: "An Act relating to taxation, authorizing installment contracts for the payment of delinquent real property taxes, prescribing powers and duties of county treasurers in connection therewith and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman.*

We concur in this report: Ralph Metcalf, Alfred E. Holt, Harold P. Troy, Albert D. Rosellini, W. R. Orndorff, F. L. Morgan, Joseph D. Roberts.

Senate Chamber,
Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 51, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: James T. Sullivan, N. P. Atkinson, Keiron W. Reardon, Kelbel Murphy, Pearl A. Wanamaker.

On motion of Senator Murfin, the reports of the committee were received and the bill was read the third time.

Senator Troy moved to amend the bill as follows:

Amend section 1, line 13 of the original bill, same being section 1, line 6, page 1 of the printed bill, by striking the figures "1936" and inserting in lieu thereof the figures "1933".

Senator Morgan moved to lay the amendment on the table.

The motion was declared out of order.

Senators Bloomer, Kyle and Wanamaker demanded the previous question. The amendment by Senator Troy failed to carry.

Senator Wanamaker moved to amend the bill as follows:

Amend section 1, line 13 of the original bill, same being section 1, line 6, page 1 of the printed bill, by striking the figures "1936" and inserting in lieu thereof the figures "1935".

Senator Orndorff moved to lay the amendment on the table.

The motion by Senator Orndorff failed to carry.

Senators Murfin, Troy and Kyle demanded the previous question.

The previous question was ordered.

The amendment by Senator Wanamaker was adopted.

Senator Wanamaker moved to amend the bill as follows:

Amend section 1, line 18 of the original bill, same being section 1, line 9, page 1 of the printed bill, by striking the figures "1936" and inserting in lieu thereof the figures "1935."

The amendment by Senator Wanamaker was adopted.

Senator Wanamaker moved to amend the bill as follows:

Amend section 1, line 19 of the original bill, same being section 1, line 10, page 1 of the printed bill; after the word "the" and before the figures "1937" strike the word "year" and insert in lieu thereof the following: "years 1936 and".

The amendment by Senator Wanamaker was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 51 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Todd, Troy and Voyce—36.

Those voting nay were: Senators Duggan, Keller, Kyle, McAulay, Reardon, Stinson, Thomas and Wanamaker—8.

Absent or not voting: Senators Haddon and Maxwell—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 87:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 25, 1939.

MR. PRESIDENT:

We, your committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 87, entitled: "An Act relating to limitations of actions and amending section 162 of Remington's Revised Statutes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman.*

We concur in this report: Clifford O. Moe, A. M. Murfin, Geo. F. McAulay, C. F. Stinson, Herbert H. Sieler.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

Senator Stinson moved to amend the bill as follows:

Amend section 1, line 14 of the original bill, same being section 1, line 8, page 1 of the printed bill; following the word "deed" strike all the remainder of the section, insert a period (.) and add the following sentence: "Actions to set aside or cancel such deeds, unless otherwise barred, may be commenced within one (1) year after the effective date of this act."

The amendment by Senator Stinson was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 87, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Those voting nay were: Senator McAulay—1.

Absent or not voting: Senators Haddon and Murfin—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President announced if there was no objection, the Senate would return to the second order of business.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Concurrent Resolution No. 2, have compared same with the original resolution and find it correctly enrolled.

Respectfully submitted,
GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Mary Farquharson, A. M. Murfin, W. C. Dawson, Monty Percival.

On motion of Senator Lovejoy, the report of the committee was adopted.
The President signed Senate Concurrent Resolutions Nos. 1 and 2.

On motion of Senator Maxwell, he was excused from attendance upon the Senate next Monday.

At 12:10 o'clock p. m., Senator Orndorff moved that the Senate adjourn until Monday, January 30th, 1939, at 11:00 o'clock a. m.

Senator Reardon moved to amend Senator Orndorff's motion to read 1:00 o'clock.

The motion by Senator Reardon carried.

The motion to adjourn, as amended, carried.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

TWENTY-SECOND DAY

AFTERNOON SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Monday, January 30, 1939.

The Senate was called to order at 1:00 o'clock p. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators Ferryman and Maxwell, who were excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend M. P. O'Dwyer, of St. Michael's Parish of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., January 27, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bills Nos. 51 and 87 have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Joseph D. Roberts.

On motion of Senator Holt, the report of the committee was adopted.

The Secretary read:

COMMUNICATION

State of Washington, Department of Highways,
Olympia, January 10, 1939.

*To the Honorable, The Senate and The House of Representatives of the
State of Washington in Legislature Assembled:*

Proposed Primary State Highway from Blyn via Discovery Bay to Seattle:

Pursuant to the provisions of chapter 109, Session Laws of 1937, titled "An Act providing for the survey and location of a primary state highway in connection with State Road No. 9 in conjunction with water transportation facilities to provide the most feasible route," I have the honor to submit herewith a report of the surveys and analyses of existing and possible transportation routes between a junction with Primary State Highway No. 9 in the vicinity of Blyn and Seattle, the termini mentioned in the act.

The common point in Seattle for comparison of distances is the Union Depot. Blyn vicinity as mentioned in the report is a point on Primary State Highway No. 9, 2.1 miles east of Blyn and 25.1 miles east of Port Angeles.

Respectfully submitted,
L. V. MURROW, *Director of Highways.*

On motion of Senator Keeler, the letter of transmittal was ordered spread on the Journal and the report referred to the Committee on Roads and Bridges.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 28, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 33, also House Bill No. 39, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,
Olympia, Wash., January 27, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 17 with the following amendment: "In section 1, page 1, line 5 of the body of the original bill, being line 4 of the printed bill, strike the word and figure 'one (1)' and insert in lieu thereof the letter 'I', and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Farquharson moved that the Senate concur in the House amendment to Engrossed Senate Bill No. 17.

The motion carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 17, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Ferryman, Holt, Lovejoy and Maxwell—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President having requested and received the unanimous consent of the Senate, Senators McDonald, Wanamaker and Moe were appointed as a committee to escort the Speaker of the House to the rostrum of the Senate.

The Speaker of the House, John Sylvester, was escorted to the rostrum. The Speaker was accorded the privilege of suspending Rule 63, relating to smoking and the eating of candy.

INTRODUCTION OF BILLS

Senate Bill No. 164, by Senator Troy, entitled: "An Act relating to the officers of the grand jury, defining their powers and duties, amending section 982, Code of 1881, and declaring an emergency."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 165, by Senator Moe (By Departmental Request), entitled: "An Act relating to the permanent registration of voters and amending sections 14 and 15, chapter 1, Session Laws of 1933 (sections 5114-14 and 5114-15, Remington's Revised Statutes of Washington Annotated)."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, and referred to the Committee on Elections and Privileges.

On motion of Senator Moe, the usual number of copies of Senate Bill No. 165 were ordered printed.

Senate Bill No. 166, by Senator Holt, entitled: "An Act relating to taxation of property, and amending section 52 of chapter 130 of the Laws of the Extraordinary Session of 1925."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 167, by Senator Moe, entitled: "An Act relating to admission of children to public schools and amending section 1 of chapter 93 of the Laws of Extraordinary Session of 1925 as amended."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 168, by Senators Atkinson and Morgan, entitled: "An Act providing for the protection and guarantee of civil liberties; prohibiting interference with parades or meetings in or upon public streets or public places, except as specifically provided; providing for the full and equal protection to

all persons for the hiring of places of public assembly or meeting; prescribing penalties; and repealing inconsistent acts."

The bill was read the first time, and on motion of Senator Atkinson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Morals.

Senate Bill No. 169, by Senator Holt (By Departmental Request), entitled: "An Act to prevent waste of crude petroleum oil, natural gas, and products thereof, and underground waters, as defined in this act and in furtherance thereof, requiring the director of conservation and development to administer and enforce the same; defining the powers and duties of certain officers; prohibiting certain acts; authorizing him to prescribe rules, regulations and orders; providing penalties for the violation of the provisions of this act, and of the rules, regulations and orders of the director; levying a tax on the proceeds of oil and gas to pay the cost of the administration and enforcement of this act and making an appropriation."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, and referred to the Committee on Mines and Mining.

On motion of Senator Holt, the usual number of copies of Senate Bill No. 169 were ordered printed.

Senate Bill No. 170, by Senator Duggan, entitled: "An Act relating to exemptions of personal property and amending section 1 (pages 96 to 98), of the Laws of 1886, being section 563 of Remington's Revised Statutes and section 7851 of Pierce's Code; and section 2 of chapter LVII (57) of the Laws of 1897."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 171, by Senator Duggan, entitled: "An Act relating to homesteads, and amending section 1 of chapter 88 of the Laws of 1931, section 2 of chapter 193 of the Laws of 1927, section 7 of chapter 64 of the laws of 1895, section 24 of chapter 64 of the Laws of 1895, and section 1 of chapter 36 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 172, by Senator Duggan, entitled: "An Act relating to the setting aside of property in lieu of homestead and amending section 1 of chapter 185 of the Laws of 1927."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 173, by Senator Duggan, entitled: "An Act relating to the exemption of the proceeds and avails of life insurance and amending section 1, chapter 92, of the Laws of 1927."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 174, by Senator Malstrom, entitled: "An Act providing for the receipt and administration of federal grants in aid of education, including public library service."

The bill was read the first time, and on motion of Senator Malstrom the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Library.

Senate Bill No. 175, by Senator Farquharson, entitled: "An Act authorizing the department of business, budget and finance to build, equip and operate food processing plants; declaring the policy of such operation; making an appropriation, and providing that it shall be a misdemeanor to sell the products of such plants."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 176, by Senator Roberts, entitled: "An Act exempting from the payment of inheritance tax gifts, bequests, devises and transfers of property for certain designated purposes if the use thereof is limited to the State of Washington, and amending section 8 of chapter 134 of the Laws of 1931."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 177, by Senators Wanamaker and McDonald, entitled: "An Act providing that state elective and appointive officers shall select employees, with certain exceptions, from a classified list prepared by a new state department, established by said act, designated the state personnel department administered by a director and a state personnel board with power to make rules and regulations; establishing a position-classification list for candidates for positions with provisions for the promotion, demotion and dismissal of employees; permitting or requiring certain counties and other subdivisions of the state to establish a similar plan based on merit for employees, prescribing penalties for violation and repealing acts in conflict."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate Bill No. 178, by Senator Duggan, entitled: "An Act providing for the filing of chattel mortgages in the county to which mortgaged chattels are removed, defining the effect of failure so to do, and amending section 1988 of chapter CXLI of the Code of 1881."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 179, by Senators Troy and Todd, entitled: "An Act relating to the registration of land titles, repealing sections 10624 and 10681 of Remington's Revised Statutes, and amending sections 10634, 10637, 10654, 10660, 10673, 10691, 10711, 10712 and 10713 of Remington's Revised Statutes, making the certificate of title conclusive as to all right, title, estate or interest in real property, providing that counties may register title to tax title property, and providing that the insurance fund be deposited with the state treasurer."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 180, by Senators Moe and Troy, entitled: "An Act relating to appeals from the decisions of the department of labor and industries, and amending section 7697 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 181, by Senator Reardon, entitled: "An Act relating to the office of the public printer; setting forth the duties of said office; limiting the scope thereof; amending section 1 of chapter 129 of the Laws of 1917; and repealing all acts or parts of acts in conflict therewith."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Printing.

House Bill No. 33, by Representative Carty, entitled: "An Act relating to the qualification of electors, the registration of voters, defining the duties of certain officers in connection therewith, and amending section 5114-3 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Elections and Privileges.

House Bill No. 39, by Representatives Sherman, Pearson and Savage, entitled: "An Act relating to the creation of a county salary fund, amending section 1 of chapter 94 of the Laws of 1935."

The bill was read the first time, and on motion of Senator Roup the rules were suspended, the bill was read the second time by title, and referred to the Committee on Counties and County Boundaries.

GENERAL FILE

Senate Bill No. 8:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Agriculture, to whom was referred Senate Bill No. 8, entitled: "An Act repealing chapter 157 of the Laws of 1937, relating to and regulating the sale of eggs," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Strike everything after the enacting clause and insert in lieu thereof the following:

"Section 1. That sections 1, 2 and 3 of chapter 157 of the Laws of 1937 (section 6155-8, section 6155-12, section 6155-13 of Remington's Revised Statutes; section 2555-11a, section 2555-11b and section 2555-12 of Pierce's Code) relating to and regulating the sale of eggs, shall be and the same are hereby repealed."

Strike the title and insert in lieu thereof the following:

"An Act repealing sections 1, 2 and 3 of chapter 157 of the Laws of 1937, relating to and regulating the sale of eggs."
D. E. McMILLAN, *Chairman*.

We concur in this report: John H. Ferryman, Henry J. Copeland, A. M. Murfin, Howard Roup.

Senate Chamber,
Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Agriculture, to whom was referred Senate Bill No. 8, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman.*

We concur in this report: Leroy L. Todd, Ted F. Schroeder.

The bill was read the third time.

On motion of Senator Murfin, the committee amendments were adopted.

Senators McDonald, Kyle and Klemgard demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 8 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Those voting nay were: Senators Atkinson, Metcalf, Reardon, Schroeder, Stinson and Sullivan—6.

Absent or not voting: Senators Ferryman and Maxwell—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President stated if there was no objection the Senate would refer back to the fifth order of business.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Concurrent Resolution No. 1, also Senate Concurrent Resolution No. 2, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Reardon assumed the chair.

There being no objection, Senator Reardon, Chairman of the Committee on State Penal and Reformatory Institutions, was granted permission to hold a public meeting in the Senate Chamber on the evening of February 8th.

At 2:05 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. MCCROSKEY, *Secretary of the Senate.*

TWENTY-THIRD DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, January 31, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators Maxwell, Murphy and Schroeder, Senator Maxwell being excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend M. P. O'Dwyer, of St. Michael's Parish of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Resolution No. 11, by Committee on Rules and Joint Rules (By Executive Request): Providing for submission to the electors of the state of a constitutional amendment amending Article 7 of the Constitution, by adding thereto a new section to be designated section 4, providing for the taxing of publicly owned property.

The resolution was read the first time, and on motion of Senator Drumheller the rules were suspended, the resolution was read the second time by title, and referred to the Committee on Constitutional Revision.

On motion of Senator Drumheller, the usual number of copies of Senate Joint Resolution No. 11 were ordered printed.

The Secretary read:

Senate Joint Memorial No. 8, by Senator Metcalf: Relating to the allotment of a regiment of anti-aircraft artillery to the State of Washington.

The memorial was read the first time, and on motion of Senator Metcalf the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Military.

REPORTS OF STANDING COMMITTEES**Senate Bill No. 41:**

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 41 do pass.

The report of the Committee, together with the bill, was placed on general file.

Engrossed House Bill No. 11:

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Engrossed House Bill No. 11 do pass.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 142:

The Committee on Banks and Banking recommended that Senate Bill No. 142 do pass with certain amendments.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 141:

The Committee on Banks and Banking recommended that Senate Bill No. 141 do pass with certain amendments.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 105:

The Committee on Banks and Banking recommended that Senate Bill No. 105 do pass.

The report of the Committee, together with the bill, was placed on general file.

Senate Joint Resolution No. 8:

The Committee on Banks and Banking recommended that Senate Joint Resolution No. 8 be re-referred to the Committee on Constitutional Revision.

On motion of Senator Kyle, the report of the Committee was adopted.

Senate Bill No. 23:

The Committee on Parks and Playgrounds recommended that Substitute Senate Bill No. 23 be substituted for Senate Bill No. 23.

Senator Roberts moved that Substitute Senate Bill No. 23 be received, introduced and printed.

The motion of Senator Roberts carried.

Senator Morgan moved that Senate Bill No. 23 be re-referred to the Committee on State Grants, School and Tide Lands.

The motion of Senator Morgan carried.

Senate Bill No. 125:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Senate Bill No. 125 do pass.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 126:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Senate Bill No. 126 do pass.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 66:

The Committee on Education recommended that Senate Bill No. 66 do pass with certain amendments.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 78:

The Committee on Education recommended that Senate Bill No. 78 do pass with certain amendments.

The report of the Committee, together with the bill, was placed on general file.

Senator Reardon assumed the chair.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 8, have compared same with the original bill and find it correctly engrossed.

ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, Harold P. Troy, Joseph D. Roberts.

On motion of Senator Holt, the report of the Committee was adopted.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

The House has passed Senate Joint Resolution No. 7, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

INTRODUCTION OF BILLS

Senate Bill No. 182, by Senators Drumheller and Metcalf, entitled: "An Act relating to auto mechanics, providing for the examination and licensing thereof, regulating the trade of repairing motor vehicles and trailers, providing penalties, and making an appropriation."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics,

Senate Bill No. 183, by Senator Voyce, entitled: "An Act relating to coal mining, and amending sections 69 and 88 of chapter 36 of the Laws of 1917."

The bill was read the first time, and on motion of Senator Voyce the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Mines and Mining.

Senate Bill No. 184, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to the transportation of property by motor vehicle over the public highways of the State of Washington, and amending section 7 of chapter 184 of the Laws of 1935 as amended by section 7 of chapter 166 of the Laws of 1937, and section 10 of chapter 166 of the Laws of 1937, and section 28 of chapter 184 of the Laws of 1935 as amended by section 20 of chapter 166 of the Laws of 1937, and providing that this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

On motion of Senator Duggan, the usual number of copies of Senate Bill No. 184 were ordered printed.

Senate Bill No. 185, by Senator Troy, entitled: "An Act relating to intoxicating liquors, providing for control and regulation thereof and amending section 43, chapter 62, Laws of the Extraordinary Session of 1933 (section 7306-43 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Liquor Control.

Senate Bill No. 186, by Senator Troy, entitled: "An Act relating to intoxicating liquors; providing for control and regulation thereof, defining the powers and duties of the liquor control board, and amending section 79, chapter 62, Laws of the Extraordinary Session of 1933 (section 7306-79 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Liquor Control.

Senate Bill No. 187, by Senator McDonald, entitled: "An Act relating to assistance for the blind; granting medical, vocational and other aids; limiting the meanings of income and resources; prescribing eligibility and methods of applying for assistance; regulating appeals and actions on claims; requiring the filing and posting of regulations; providing penalties for violations; repealing laws in conflict herewith; and amending sections 3, 8, 9, 10, 13, and 17 of chapter 132, Laws of 1937, and adding new sections 4½, 13½, and 15½ thereto."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

Senate Bill No. 188, by Senators Wanamaker and Malstrom, entitled: "An Act relating to the operation of the State Teachers' Retirement System; amending sections 1, 4, 5, 6, 7, 8 and 12 of chapter 221 of the Laws of 1937 (sections 4995-1, 4995-4, 4995-5, 4995-6, 4995-7, 4995-8 and 4995-12, of Remington's Revised Statutes), and further amending chapter 221 of the Laws of 1937 (sections 4995-1 to 4995-12, both inclusive, of Remington's Revised Statutes) by adding a new section, to be known as section 4a, extending the provisions of the act to teachers at certain public institutions."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 189, by Senators Reardon and Wanamaker, entitled: "An Act relating to public highways; providing for Secondary state highways as branches of Primary State Highway No. 1; amending section 2 of chapter 207, Session Laws of 1937; and declaring an emergency."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 190, by Senator Edwards, entitled: "An Act relating to sales, relating to and regulating the purchase, sale and transfer of goods, wares and merchandise, and restaurants, cafes, beer parlors, taverns, hotels, clubs and gasoline service stations, and fixtures and equipment, in bulk, providing

penalties for violations thereof; and amending sections 5832, 5833, 5834 and 5835 of Remington's Revised Statutes of Washington."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

GENERAL FILE

Senators Drumheller, Koontz and Dawson demanded a call of the Senate. A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the call of the Senate, all members being present except Senator Maxwell, who was excused.

On motion of Senator Drumheller, the Senate proceeded under call of the Senate.

Senate Bill No. 46, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to old age assistance, prescribing the maximum amount thereof, amending section 4, chapter 182, Laws of 1935, as amended by section 2, chapter 156, Laws of 1937, and declaring an emergency."

Senator Kyle moved that Senate Bill No. 46 be indefinitely postponed.

President Meyers assumed the chair.

Senator Reardon moved that the motion by Senator Kyle be laid on the table.

Senators Drumheller, Koontz, Dawson, Henderson, Duggan, Keller, Kyle and Troy demanded a roll call.

A roll call was ordered.

The Secretary called the roll on the motion of Senator Reardon and the motion carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Troy and Wanamaker—32.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sullivan, Thomas, Todd and Voyce—13.

Absent or not voting: Senator Maxwell—1.

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., January 18, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Social Security to whom was referred Senate Bill No. 46, entitled: "An Act relating to old age assistance, prescribing the maximum amount thereof, amending section 4, chapter 182, Laws of 1935, as amended by section 2, chapter 156, Laws of 1937, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. M. KOONTZ, *Chairman*.

We concur in this report: Geo. F. McAulay, A. E. Edwards, Joe L. Keeler, Joseph Drumheller, Chas. F. Stinson, Earl Maxwell, Pearl A. Wanamaker, Fred S. Duggan.

Senate Chamber,
Olympia, Wash., January 18, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Social Security to whom was referred Senate Bill No. 46, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: James T. Sullivan, Leroy L. Todd, G. B. Kerstetter, Kebel Murphy, John H. Ferryman.

On motion of Senator Koontz, the majority report of the committee was adopted, and the bill was read the third time.

Senator Sieler moved the adoption of the following amendment:

Amend section 1, lines 5 to 9 of the printed bill, same being lines 10 to 16 of the original bill, by striking all of lines 5, 6, 7, 8 and part of line 9 ending with the word "recipient:" and insert in lieu thereof the following "amount and nature of old age assistance * * * * that may be awarded any applicant shall not exceed the sum of thirty dollars per month, * * * * including all gifts and gratuities received by the applicant during the year."

Senator Drumheller moved that the amendment be laid on the table.

Senators Kyle, Morgan, Sieler, Sullivan, Atkinson, Malstrom, Bloomer and Mills demanded a roll call.

The Secretary called the roll and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Those voting nay were: Senators Metcalf, Mills, Murphy, Sieler and Stinson—5.

Absent or not voting: Senator Maxwell—1.

Senator Kyle moved the adoption of the following amendment:

Amend section No. 4, line No. 3-4 of the printed bill, same being line 9 of the original bill, strike the word "adequately".

Senator Drumheller moved that the amendment be laid on the table.

Senators Morgan, Farquharson, Todd, Sullivan, Kerstetter, Kyle, Atkinson and Malstrom demanded a roll call.

The Secretary called the roll and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Troy and Wanamaker—32.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sullivan, Thomas, Todd and Voyce—13.

Absent or not voting: Senator Maxwell—1.

Senator Malstrom moved the adoption of the following amendment:

Amend section No. 1, line 12 of the printed bill, same being line 21 of the original bill, strike the word "may", in the sentence beginning "The old-age" and insert the word "shall".

Senator Drumheller moved that the amendment be laid on the table.

Senators Kyle, Morgan, Todd, Sullivan, Atkinson, Malstrom, Kerstetter and Murphy demanded a roll call.

The Secretary called the roll and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Troy and Wanamaker—32.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sullivan, Thomas, Todd and Voyce—13.

Absent or not voting—Senator Maxwell—1.

Senator Kyle moved that the call of the Senate be now dissolved.

The motion by Senator Kyle failed to carry.

Senator Thomas moved the adoption of the following amendment:

Amend section No. 1, sub section 4, lines No. 8 and 9 of the printed bill, same being line 16 of the original bill, change "thirty dollars (\$30.00)" to read "fifty dollars (\$50.00)".

Senator Klemgard moved that the amendment be laid on the table.

Senators Morgan, Kyle, Thomas, Murphy, Malstrom, Murfin, Voyce and Todd demanded a roll call.

The Secretary called the roll and the motion by Senator Klemgard carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Troy and Wanamaker—35.

Those voting nay were: Senators Atkinson, Kerstetter, Malstrom, Morgan, Murphy, Rosellini, Sullivan, Thomas, Todd and Voyce—10.

Absent or not voting: Senator Maxwell—1.

Senator Sieler moved the adoption of the following amendment:

After section 1 add a new section to read as follows:

Sec. 2. (Same as section 1 of S. B. 132).

Sec. 2. That section 1 of chapter 156 of the Laws of 1937, (section 9998-3, Remington's Revised Statutes) be and the same hereby is amended to read as follows:

Section 1. Old-age assistance shall be given under this act to any person who

(a) Has attained the age of 65 years: *Provided*, That if the Federal government provides for Federal contribution to state old-age assistance payable to persons of age less than 65 years, then and in that event persons shall be entitled to assistance hereunder at such age as shall be provided in said Federal act;

(b) Has income which is less than three hundred sixty dollars (\$360) per year;

(c) *Is a citizen of the United States or was born in the United States and has been a resident of the State of Washington for at least * * * seven years immediately preceding his application for old-age assistance;*

(d) Is not at the time an inmate of a public institution of a custodial, correctional, or curative character, except in the case of temporary medical or surgical care in a hospital;

(e) Has not made a voluntary assignment or transfer of property for the purpose of qualifying for such assistance;

(f) Is not because of his physical or mental condition in need of continued institutional care.

Senator Kerstetter moved that the amendment be laid on the table and carry the bill with it.

The motion by Senator Kerstetter failed to carry.

Senator Drumheller moved that the amendment be laid on the table.

Senators Kyle, Morgan, Thomas, Dawson, Sullivan, Murphy, Sieler and Voyce demanded a roll call.

The Secretary called the roll and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Those voting nay were: Senators Dawson, Kerstetter, Metcalf, Mills, Sieler and Stinson—6.

Absent or not voting: Senator Maxwell—1.

Senator Voyce moved that the call of the Senate be now dissolved.

The motion lost.

Senator Voyce moved the adoption of the following amendment:

Strike the whole of Sec. 2, lines 14 and 15.

Senator Drumheller moved that the amendment be laid on the table.

Senators Kyle, Thomas, Morgan, Atkinson, Malstrom, Todd, Sullivan and Voyce demanded a roll call.

The Secretary called the roll and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Troy and Wanamaker—34.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Rosellini, Sullivan, Thomas, Todd and Voyce—11.

Absent or not voting: Senator Maxwell—1.

Senators Drumheller, Duggan, Orndorff and Reardon demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 46, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Stinson, Troy and Wanamaker—31.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sieler, Sullivan, Thomas, Todd and Voyce—14.

Absent or not voting: Senator Maxwell—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

PROTEST

Senator Morgan explained his vote as follows:

"Mr. President: I desire to enter my protest against the action of this Senate in declaring the emergency clause attached to Senate Bill 46 passed without having complied with Sec. 31 of Art. II of the Constitution and request that my protest be entered on the Journal in accordance with the rule."

Senator Orndorff moved that the call of the Senate be now dispensed with.
The motion by Senator Orndorff carried.

At 1:30 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 3:00 o'clock p. m.

AFTERNOON SESSION

The Senate reconvened at 3:00 o'clock p. m., President Meyers in the chair.

Senator Murfin requested the consent of the Senate to use the Senate Chamber by the Committee on Revenue and Taxation for a public hearing on Thursday evening of this week.

On motion of Senator Lovejoy, permission was granted.

Senators Drumheller, Duggan and Wanamaker demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the call of the Senate, all members being present except Senator Maxwell, who was excused.

On motion of Senator Drumheller, the Senate proceeded under the call of the Senate.

GENERAL FILE**Senate Bill No. 47:**

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Social Security to whom was referred Senate Bill No. 47, entitled: "An Act relating to public assistance, declaring legislative intent in relation thereto, defining the eligibility of persons entitled thereto and the basis for determining the amount of such assistance to be given in individual cases, barring certain claims and judgments as valid claims and judgments against the state and its political sub-divisions, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 47, entitled: "An Act relating to old age assistance, declaring legislative intent in relation thereto, defining the eligibility of persons entitled thereto and the basis for determining the amount of such assistance to be given in individual cases, barring certain claims and judgments as valid claims and judgments against the state and its political subdivisions, and declaring an emergency," be substituted therefor and that it do pass.

J. M. KOONTZ, *Chairman*.

We concur in this report: Geo. F. McAulay, A. E. Edwards, Joe L. Keeler, Chas. F. Stinson, Earl Maxwell, Joseph Drumheller, Fred S. Duggan, Pearl A. Wanamaker.

Senate Chamber,
 Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Social Security, to whom was referred Senate Bill No. 47, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman.*

We concur in this report: James T. Sullivan, Keiron W. Reardon, John H. Ferryman, Leroy L. Todd, G. B. Kerstetter.

On motion of Senator McAulay, the majority report of the committee was adopted.

Substitute Senate Bill No. 47, by a Majority of the Committee on Social Security, entitled: "An Act relating to old age assistance, declaring legislative intent in relation thereto, defining the eligibility of persons entitled thereto and the basis for determining the amount of such assistance to be given in individual cases, barring certain claims and judgments as valid claims and judgments against the state and its political subdivisions, and declaring an emergency," was read the third time.

Senator Thomas moved the adoption of the following amendment:

Amend section 1, line 14 of the printed bill, same being line .. of the original bill, by adding a new sentence, viz:

"Every person coming under the jurisdiction of this act shall receive no less than the sum of thirty dollars (\$30.00) per month."

The motion by Senator Thomas lost.

Senator Kyle moved the adoption of the following amendment:

Amend section 1, line 5 of the printed bill, same being line 12 of the original bill, after the word "defined," strike the remainder of the section.

The motion by Senator Kyle lost.

Senator Kyle moved the adoption of the following amendment:

Amend section 1, line 8 of the printed bill, same being line 16 of the original bill, after the word "defined," strike the remainder of the section.

Senators Sullivan, Kerstetter, Kyle, Morgan, Atkinson, Voyce, Thomas and Farquharson demanded a roll call on the adoption of the amendment.

The Secretary called the roll and the amendment lost by the following vote:

Those voting aye were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Shorett, Sieler, Sullivan, Thomas, Todd and Voyce—15.

Those voting nay were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Stinson, Troy and Wanmaker—30.

Absent or not voting: Senator Maxwell—1.

Senator Sieler moved the adoption of the following amendment:

Amend section 1, lines 5 to 14 of the printed bill, by striking all of the balance of the section beginning with the word "The" in line 5 and inserting the following:

"The legislature hereby further expressly declares that it is its intent that the Director of Social Security shall estimate the amount that will be available for old age assistance from revenues collected, or the amount of appropriation by the legislature, for this purpose and to determine the number of persons that are or will be eligible to old age assistance and arrive at the amount available for each person eligible for such assistance but not to exceed the amount or amounts provided for by Sec. 4 of chapter 182 of the Laws of 1935 or any amendments thereto. That the amount available for each

individual shall form the basis of grants for old age assistance and shall be upon basis of need as that term is hereinafter defined."

The motion by Senator Sieler lost.

Senator Sullivan moved the adoption of the following amendment:

Amend Sec. 2, line 27, page 1 of the original bill, same being Sec. 2, lines 16 and 17, page 1 of the printed bill; after the comma (,) following the word "days" strike the words "or as soon as possible thereafter," .

Senators Farquharson, Kyle and Drumheller demanded the previous question.

The previous question was ordered.

Senators Todd, Sieler, Sullivan, Kyle, Atkinson, Morgan, Voyce and Thomas demanded a roll call.

The Secretary called the roll and the amendment was adopted by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—43.

Those voting nay were: Senators McAulay and Troy—2.

Absent or not voting: Senator Maxwell—1.

On motion of Senator Kyle, the following amendment was adopted:

Amend Sec. 2, line 29, page 1 of the original bill, same being Sec. 2, line 18, page 1 of the printed bill; after the word "therefor" insert the words "and render his decision".

Senator Sieler moved the adoption of the following amendment:

Amend section 2, lines 15 to 20 of the printed bill, same being lines 25 to 31 of page 1 and line 1, page 2, of the original bill, by striking all of lines 15 to 20 and inserting in lieu thereof the following:

Sec. 2. Upon receiving an application for old age assistance, the officer authorized by law to consider and pass upon the same shall within thirty (30) days make or cause to be made such investigation as he deems necessary to determine the applicant's eligibility therefor and notify the applicant in writing of his decision. Such decision shall be subject to a fair hearing, which hearing, unless applicant shall otherwise stipulate, shall be held in the county in which the applicant resides and shall be conducted by such officer, his assistants or by a member of the board of county commissioners of the county in which the applicant resides. Whenever a hearing is conducted, as herein provided, a transcript of the testimony shall be made and included in the record which shall be submitted to such officer. Such officer shall notify the applicant of his decision within twenty days after such hearing. An applicant feeling himself aggrieved by the decision of the officer shall have the right of appeal to the superior court of the county of his legal residence, which appeal shall be taken by notice filed with the clerk of court and served upon the officer within thirty (30) days after the decision of the officer.

Senator Drumheller moved that the amendment be laid on the table.

Senators Sieler, Kerstetter, Atkinson, Kyle, Morgan, Malstrom, Sullivan, and Voyce demanded a roll call.

The Secretary called the roll and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Moe, Murfin,

Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Troy and Wanamaker—30.

Those voting nay were: Senators Atkinson, Bloomer, Kerstetter, Kyle, Malstrom, Metcalf, Mills, Morgan, Rosellini, Sieler, Stinson, Sullivan, Thomas, Todd and Voyce—15.

Absent or not voting: Senator Maxwell—1.

On motion of Senator Koontz the following amendment was adopted:

Amend Sec. 2, lines 12, 13 and 14, page 2 of the original bill, same being Sec. 2, lines 4, 5, and 6, page 2 of the printed bill, by striking the words "in excess of \$300 or loan values in excess of \$100, under insurance policies which have been in effect for more than five years" and inserting in lieu thereof the following: "and loan values (excluding cash surrender values less than \$300 and loan values less than \$100 under insurance policies which have been in effect for more than five years)"

Senator Sieler moved the adoption of the following amendment:

Amend section 2, lines 8-14 of the printed bill (last paragraph page 2, Sec. 2), by striking all of lines 8 to 14 inclusive.

The motion by Senator Sieler lost.

Senator Sullivan moved the adoption of the following amendment:

Amend section 2, line 13 of the printed bill, same being line 25, page 2, of the original bill. After word "part" insert following: "": *Provided*, That no son or daughter of any applicant shall be held responsible for the care of said applicant unless said son or daughter, being single and without other dependents, shall have received an average monthly income of at least \$100.00, or being married or having other dependents, an average monthly income of at least \$150.00, for the six (6) months immediately preceding the date said application is filed."

Senators Todd, Sullivan, Kerstetter, Kyle, Atkinson, Malstrom, Mills and Voyce demanded a roll call.

The Secretary called the roll and the motion lost by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sieler, Stinson, Sullivan, Thomas, Todd and Voyce—16.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Troy and Wanamaker—29.

Absent or not voting: Senator Maxwell—1.

Senator Kyle moved the adoption of the following amendment:

Amend section 2, line 14 of page 2 of the printed bill, same being line 27, page 2 of the original bill, after the word "assistance" strike the period (.) and insert in lieu thereof a semi-colon (;) and add the following "provided that no son or daughter of any applicant, being single and without dependents, shall be held responsible for the care of said applicant unless the average monthly income of said son or daughter during the six (6) months immediately preceding the date said application was filed was not less than seventy-five dollars (\$75.00) per month, or being married or having other dependents, not less than one hundred twenty-five dollars (\$125.00) per month, plus a further allowance of twenty-five dollars (\$25.00) per month for each dependent."

Senator Klemgard assumed the chair.

President Meyers assumed the chair.

Senators Todd, Sullivan, Kerstetter, Kyle, Atkinson, Malstrom, Mills and Voyce demanded a roll call.

The Secretary called the roll and the motion lost by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Mills, Morgan, Murphy, Rosellini, Sieler, Stinson, Sullivan, Thomas, Todd and Voyce—17.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Troy and Wanamaker—28.

Absent or not voting: Senator Maxwell—1.

Senators Drumheller, Orndorff, Reardon and Duggan demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 47, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Stinson, Troy and Wanamaker—31.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sieler, Sullivan, Thomas, Todd and Voyce—14.

Absent or not voting: Senator Maxwell—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

EXPLANATIONS OF VOTES

"We protest against the passage of Substitute Senate Bill No. 47 without amendment. We recognize the necessity of clarifying legislation upon this subject but object most vigorously to the inclusion of statements in section 1 attempting to express the intent of former legislatures and attempting to repudiate the solemn obligations assumed by the state under the Social Security Laws of 1937."

N. P. Atkinson,
Paul G. Thomas,
H. I. Kyle,

Thomas Voyce,
F. L. Morgan.

Senator Sullivan explained his vote as follows:

"For the reason Senate Bill No. 47 was not amended to be a bill designed to assist the aged I refused to vote for the bill."

James T. Sullivan.

Senate Bill No. 48:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 16, 1939.

MR. PRESIDENT:

We, your committee on Social Security, to whom was referred Senate Bill No. 48, entitled: "An Act providing that relatives of sufficient ability shall support persons unable to earn a livelihood in consequence of bodily or mental infirmity, or other cause, authorizing the enforcement of liability for such support and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1 by striking the entire section and inserting in lieu thereof the following:

"Section 1. Every person who shall be unable to earn a livelihood in consequence of bodily or mental infirmity, or other cause, shall be supported by the spouse, father, mother or children of such person, if they or either of them be of sufficient ability. The spouse, if there be a spouse, shall be first called on to support such person; if there be no spouse or if the spouse does not have sufficient ability, then the children shall be called upon to support such person, if there be children of sufficient ability; and if there be none, the parents of such person shall next be called on. In case any such person shall be under the age of eighteen (18) years, the liability imposed by this act shall also extend to the brothers and sisters of such person."

J. M. KOONTZ, *Chairman.*

We concur in this report: Geo. F. McAulay, A. E. Edwards, Joe L. Keeler, G. B. Kerstetter, C. F. Stinson, Joseph Drumheller, James T. Sullivan, Fred S. Duggan, Pearl A. Wanamaker, Earl Maxwell, John H. Ferryman.

The bill was read the third time.

The committee amendment to section 1 was read.

Senator Drumheller moved that Senate Bill No. 48 be made a special order of business for Wednesday, February 1st, at 11:45 a. m.

The motion carried.

The President stated if there was no objection the Senate would refer back to the second order of business.

Senator Reardon assumed the chair.

The Secretary read:

REPORTS OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Joint Resolution No. 7 have compared same with the original Senate Joint Resolution and find it correctly enrolled.

Respectfully submitted,
GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Mary Farquharson, W. C. Dawson.

On motion of Senator Lovejoy, the report of the committee was adopted.

Senate Chamber,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 17 have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,
GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Mary Farquharson, A. M. Murfin, W. C. Dawson.

On motion of Senator Lovejoy, the report of the committee was adopted.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., January 31, 1939.

MR. PRESIDENT:

The Speaker has signed House Concurrent Resolution No. 4, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., January 31, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 5, also House Bill No. 119, and the same are herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

At 5:35 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 11:30 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

TWENTY-FOURTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Wednesday, February 1, 1939.

The Senate was called to order at 11:30 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators Holt and Maxwell, who were excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant-Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend M. P. O'Dwyer, of St. Michael's Parish of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

COMMUNICATIONS

State of Oregon
Regular Session, Fortieth Legislative Assembly
Hall of Representatives
Salem, January 27, 1939.

*The President of the Senate,
Olympia, Washington.*

DEAR MR. PRESIDENT:

I am directed by the Speaker to inform you that the House has adopted House Resolution No. 15. You will find enclosed a copy of this resolution which is self-explanatory.

Kindly let us know when your senate acts on this resolution, stating when your committee desires to meet, and our committee will come to Olympia for said meeting.

Very truly yours,
W. F. DRAGER, *Chief Clerk.*

The Secretary read:

Fortieth Legislative Assembly—Regular Session

House Resolution No. 15, Introduced by Representatives Hosch and Martin and read January 24, 1939.

Whereas, the existing laws in the states of Oregon and Washington, with respect to the procuring of marriage licenses and providing for medical examinations before the issuance of such licenses, are not uniform, and

Whereas, there are matters of vital importance concerning such laws that can only be properly considered by a meeting and discussion between members of both the Oregon and Washington legislatures,

Be It Resolved by the House of Representatives of the State of Oregon:

That a committee be appointed consisting of two members of the house of representatives to be named by the speaker of the house and one member to be named by the governor to meet with the proper committee of the legislature of the State of Washington for the purpose of conferring on such legislation affecting the existing marriage laws as may be of joint interest to the said two states, and after such conference each of said committees of the legislatures shall report back with their recommendations to their respective bodies. Immediately upon the passage of this resolution the chief clerk of the house of representatives shall notify the proper authority of the legislature of the State of Washington of this action. Said committee members shall be allowed their actual expenses in going to and returning from the place agreed upon for such conference, and also while in attendance upon such conference; provided, however, that the expense of each member of such committee shall not exceed the sum of \$25.

On motion of Senator Reardon, the Committee on Judiciary was ordered to bring in a concurrent resolution concerning House Resolution No. 15 of the State of Oregon.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., January 31, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Substitute Senate Bill No. 47, have compared same with the original substitute bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, Harold P. Troy.

On motion of Senator Holt, the report of the committee was received.

REPORT OF STANDING COMMITTEE

House Bill No. 20:

The Committee on Appropriations recommended that House Bill No. 20 do pass.

The report of the committee, together with the bill, was placed on general file.

SPECIAL ORDER

The President, at 11:45 o'clock a. m., stated that the Senate would at this time take up consideration of Senate Bill No. 48, which was a special order for this hour.

Senators Drumheller, Wanamaker, Koontz, Troy, McAulay, Percival, Orndorff and Reardon demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Secretary called the roll, all members being present except Senators Holt and Maxwell, who were excused.

On motion of Senator Drumheller, the Senate proceeded under the call of the Senate.

Senate Bill No. 48:

Senator Thomas moved the adoption of the following amendment to the committee amendment:

Amend section 1 of the committee amendment, by adding to the committee amendment the following sentence, viz:

"The term 'ability' shall apply only when the spouse, father, mother or children themselves shall assume responsibility in writing."

The motion lost.

Senator Koontz moved the adoption of the following amendment to the committee amendment:

Amend the committee amendment at the end of section 1 of the committee amendment by striking the quotation mark (") at the end of said amendment and add the following sentence: "In the case of any such person who has reached the age of sixty-five (65) years, the liability imposed by this act shall be limited to spouse and children."

The motion carried.

Senator Thomas moved the adoption of the following amendment to the committee amendment:

After the word "person" in last line of committee amendment add:

"*Provided*, That no person shall be required to assume the responsibility of the care and maintenance of a person otherwise qualified under this act, whose income and earnings are less than one hundred and fifty dollars (\$150) per month for himself and spouse plus an additional amount of fifty dollars (\$50) per month for each of his other dependents, plus an additional amount of fifty dollars (\$50) per month for the person whose care he is obliged to assume. *Provided further*, That while computing the evidence, due consideration shall be given to his debts, mortgages, financial, and moral obligations."

The motion lost.

On motion of Senator Reardon, the committee amendment, as amended, was adopted.

Senator Orndorff moved the adoption of the following amendment:

Amend line 2 of the title of the original bill by striking the word "consequence" and inserting in lieu thereof the word "consequence".

The motion carried.

Senators Reardon, Orndorff, Drumheller and Koontz demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 48, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Stinson, Troy and Wanamaker—28.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Mills, Morgan, Murphy, Rosellini, Sieler, Sullivan, Thomas, Todd and Voyce—16.

Absent or not voting: Senators Holt and Maxwell—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

PROTEST

Senator Kerstetter requested the following protest entered on the journal:

"I oppose with all my might this Senate Bill No. 48 re-enacting the pauper law in the State of Washington. I personally feel this is a gross insult upon the intelligence of the people residing in our fair state."

The President signed Senate Bill No. 17, Senate Joint Resolution No. 7 and House Concurrent Resolution No. 4.

On motion of Senator Drumheller, the call of the Senate was dispensed with.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 115:

The Committee on Judiciary recommended that Senate Bill No. 115 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 71:

The Committee on Judiciary recommended that Senate Bill No. 71 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 54:

A majority of the Committee on Judiciary recommended that Senate Bill No. 54 do pass as amended.

A minority of the Committee on Judiciary recommended that Senate Bill No. 54 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 1, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 105, also House Bill No. 108, also House Bill No. 109, also House Joint Memorial No. 2, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

Senate Joint Resolution No. 12, by Senator Roberts: Relating to salaries of members of the legislature, and amending section 23 of Article II of the Constitution of the State of Washington.

The resolution was read the first time, and on motion of Senator Roberts the rules were suspended, the resolution was read the second time by title, ordered printed, and referred to the Committee on Constitutional Revision.

INTRODUCTION OF BILLS

Senate Bill No. 191, by Senator Klemgard, entitled: "An Act relating to an excise tax upon the business of selling fuel oil and repealing sections 78, 79, 80

and 81 of chapter 180 of the Laws of 1935, as amended by chapter 116 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Klemgard the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

Senate Bill No. 192, by Senators Morgan and Todd, entitled: "An Act to provide for the raising of public revenue by imposing an excise tax upon the receipt of gross income, to provide for the ascertainment, assessment and collection of said tax, and to provide penalties for the violation of the terms of this act, and declaring an emergency."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 193, by Senator Edwards, entitled: "An Act relating to intoxicating liquors; providing a tax on beer; allocating revenues; amending section 24 of chapter 62 of the Laws of 1933, Extraordinary Session; and declaring an emergency."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 194, by Senator Murphy, entitled: "An Act relating to and prescribing purposes for which food fish may be taken, possessed and used; amending section 69 of chapter 31 of the Laws of 1915; defining offenses; providing penalties; and declaring that this act shall take effect March 31st, 1939."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate Bill No. 195, by Senator Murphy, entitled: "An Act relating to explosives, prohibiting blasting in settled communities without notice, and declaring the violation thereof to be a misdemeanor."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Dairy and Livestock.

Senate Bill No. 196, by Senator Murphy (By Request), entitled: "An Act relating to state control of blasting powder and repealing chapter 157 of the Laws of 1919."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Murphy, the usual number of copies of Senate Bill No. 196 were ordered printed.

Senate Bill No. 197, by Senator Roberts, entitled: "An Act authorizing the conveyance of certain shorelands to the University of Washington for arbor-etum and botanical gardens."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Engrossed House Bill No. 5, by Representative Hurley, entitled: "An Act relating to homesteads and amending section 1 of chapter 88 of the Laws of 1931 and section 7 of chapter 64 of the Laws of 1895."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 119, by Committee on Rules and Joint Rules, entitled: "An Act appropriating the sum of thirty-five hundred dollars (\$3,500.00), or so much thereof as may be necessary for the temporary publication of Session Laws of the 26th Session of the Washington State Legislature and declaring an emergency."

The bill was read the first time, and on motion of Senator Shorett the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

GENERAL FILE

House Bill No. 20:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 31, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House Bill No. 20, entitled: "An Act authorizing the state capitol committee to make major repairs to old capitol building, making appropriation, and declaring this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: John H. Ferryman, A. E. Edwards, Robert T. McDonald, Henry J. Copeland, Howard Roup, W. C. Dawson, Alfred E. Holt, Monty Percival, Kathryn E. Malstrom, Geo. A. Lovejoy, Gordon Klemgard.

Senator Sieler assumed the chair.

COMMITTEE OF THE WHOLE

On motion of Senator Drumheller, the Senate resolved itself into a committee of the whole to consider House Bill No. 20.

The bill was considered in the committee of the whole, Senator Reardon in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Reardon, the report of the committee was adopted.

Senator Reardon moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of House Bill No. 20, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Rear-

don, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Absent or not voting: Senators Holt, Keller, Klemgard, Maxwell and Moe—5.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 11:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Engrossed House Bill No. 11, entitled: "An Act to prohibit the sale, gift, barter, exchange or distribution of amytal, luminal, veronal, barbital, acid diethylbarbituric and para-amino-benzene sulfonamide and their derivatives, and providing a penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. W. HENDERSON, *Chairman.*

We concur in this report: Henry J. Copeland, Lulu D. Haddon, Geo. A. Lovejoy, Paul G. Thomas, G. B. Kerstetter, Robert T. McDonald.

On motion of Senator Henderson, the report of the committee was received and the bill was read the third time.

Senator Lovejoy moved the adoption of the following amendment:

In line 5 of the title of the original bill, after the word "thereof" and before the period (.) insert the following: "and declaring an emergency".

The motion carried.

Senators Roberts, Kyle, Farquharson and Lovejoy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 11, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Holt, Keller, Maxwell and Moe—4.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Duggan, the Senate referred back to the first order of business.

The Secretary read:

Senate Concurrent Resolution No. 3, by Senator Duggan:

WHEREAS, the Legislative Assembly of the State of Oregon has requested a conference on the subject of marriage laws as they affect the people of the State of Oregon and the State of Washington; and

WHEREAS, this matter is of importance and interest to both states,

Be It Resolved by the Senate, the House concurring, that a committee composed of three members from the Senate and House, to be named by the President of the Senate and Speaker of the House, meet with the proper committee from the Legislature of the State of Oregon, for the purpose of conferring on such legislation affecting the marriage laws as may be of joint interest to the said two states, and, after such conference, to report back their recommendations.

Immediately upon passage of this Resolution the Secretary of the Senate shall notify the proper authority of the Legislative Assembly of Oregon of this action.

On motion of Senator Duggan, the resolution was adopted.

On motion of Senator Reardon, the rules were suspended and House Bill No. 20 was ordered immediately transmitted to the House.

At 1:30 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

TWENTY-FIFTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Thursday, February 2, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators Keeler, Holt and Roup, who were excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant-Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend M. P. O'Dwyer, of St. Michael's Parish of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

House Joint Memorial No. 2, by Representative Payne: Petitioning the government of the United States to establish a shipyard in the Puget Sound area of the State of Washington and to further establish a passenger and freight steamship line to connect Puget Sound ports and other parts of the State of Washington with the ports of the Orient and Far East, and further

to establish a refrigerator service for the purpose of transporting Northwest fruit and other products to Europe and other parts of the world.

The memorial was read the first time, and on motion of Senator Metcalf the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 1, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 48, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,
....., *Chairman.*

We concur in this report: Robert T. McDonald, Joseph D. Roberts, Harold P. Troy, Paul G. Thomas.

On motion of Senator Roberts, the report of the committee was received.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 120:

The Committee on State Charitable Institutions recommended that Senate Bill No. 120 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 108:

The Committee on Fisheries recommended that Senate Bill No. 108 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 114:

The Committee on State Charitable Institutions recommended that Senate Bill No. 114 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 26:

The Committee on Educational Institutions recommended that Substitute Senate Bill No. 26 be substituted for Senate Bill No. 26 and that it do pass.

On motion of Senator Farquharson, the usual number of copies of Substitute Senate Bill No. 26 were ordered printed.

On motion of Senator Farquharson, Senate Bill No. 26 was referred to the Committee on Roads and Bridges.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 1, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 17, also Senate Joint Resolution No. 7, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Senator Shorett assumed the chair.

Senate Bill No. 198, by Senators Kyle and Troy, entitled: "An Act relating to public utility districts, the organization, powers and government thereof; prescribing the time of election and terms of office of public utility district commissioners; providing for reimbursement and compensation of such commissioners; prescribing payments to be made by such districts to counties, cities, towns and other taxing districts; providing for the joint exercise of powers by such districts; providing for the inspection of books, papers, records and accounts of public service companies by representatives of such districts and imposing penalties; pertaining to the determination of compensation to be paid by such districts in eminent domain proceedings; validating districts heretofore formed and prescribing the manner in which the existence of districts now or hereafter formed may be challenged; amending sections 11607, 11608 and 11609 of Remington's Revised Statutes, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

On motion of Senator Kyle, 500 additional copies of Senate Bill No. 198 were ordered printed.

Senate Bill No. 199, by Senators Kyle and Troy, entitled: "An Act relating to public utilities; creating the Washington utility district authority; and pertaining to the composition, powers and government thereof; providing for the performance of duties by certain state officers in relation thereto; providing for the construction, purchase, condemnation, operation, lease, disposal and sale of certain utilities, works, plants or facilities by such authority; prohibiting the issuance of general obligation bonds or the levy of any tax thereby; providing for the issuance of revenue bonds or warrants thereby; providing for the acquisition by public utility districts by arbitration and otherwise of properties owned by the authority; providing for payments by the authority to counties, cities, towns and other public bodies and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

On motion of Senator Kyle, 500 additional copies of Senate Bill No. 199 were ordered printed.

Senate Bill No. 200, by Senators Kyle and Troy, entitled: "An Act relating to public utility districts and issuance, sale, redemption, funding and refunding of revenue bonds or warrants thereby; specifying provisions and conditions thereof and covenants that may be contained therein; providing for the registration and validation thereof; making the same legal securities for certain purposes; declaring the same to be negotiable instruments; repealing all acts or parts of acts in conflict herewith; and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

On motion of Senator Kyle, 500 additional copies of Senate Bill No. 200 were ordered printed.

Senate Bill No. 201, by Senator Duggan, entitled: "An Act relating to the recording of instruments concerning real property and amending section 10 of chapter 278 of the Laws of 1927 (section 10596-10 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 202, by Senator Farquharson, entitled: "An Act relating to public highways; providing for the survey and location of a primary state highway in connection Primary State Highway No. 15 to provide the most feasible route connecting with Seattle."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 203, by Senator Sullivan, entitled: "An Act relating to police relief and pension funds in cities of the first class; providing that they shall be maintained by appropriations from the general funds thereof and amending section 1 of chapter 30 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 204, by Senator Ferryman, entitled: "An Act relating to the establishment of an unpaid commission to facilitate the cooperation of the State of Washington with other units of government and declaring an emergency."

The bill was read the first time, and on motion of Senator Ferryman the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Federal Relations.

Senate Bill No. 205, by Senator Sullivan, entitled: "An Act relating to elections, requiring corporations and unincorporated associations receiving or expending money for the purpose of influencing the vote on initiative or referendum measures or constitutional amendments to file a statement with the secretary of state, and prescribing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Senate Bill No. 206, by Senator Sullivan, entitled: "An Act relating to old-age assistance; requiring qualifications therefor; defining terms; and amending section 2 of chapter 182 of the Laws of 1935 and chapter 156 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

Senate Bill No. 207, by Senator Murfin (By Departmental Request), entitled: "An Act relating to revenue and taxation, providing for the re-assessment and re-taxation of property, amending sections 1, 2, 4 and 6, chapter 106, Laws of

1931, being sections 11301, 11302, 11304, and 11306 of Remington's Revised Statutes, and providing that the act shall take effect immediately."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

On motion of Senator Metcalf, the usual number of copies of Senate Bill No. 207 were ordered printed.

Senate Bill No. 208, by Senator Rosellini, entitled: "An Act relating to purchases at public expense and in connection with public contracts; defining the duties of certain boards, commissions, officers, employees and contractors; prescribing penalties for the violation thereof and amending chapter 34 of the Laws of 1933 by amending section 1 and by adding a new section to be known as section 2."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 209, by Senators Reardon and Kyle, entitled: "An Act relating to education, providing for school revenues and disbursements, amending section 4 of chapter 28 of the Session Laws of 1933 (section 4934 of Remington's Revised Statutes) and section 3 of chapter 28 of the Laws of 1933 (section 4719 of Remington's Revised Statutes) and section 2 of chapter 90 of the Laws of 1919 (section 4764 of Remington's Revised Statutes) and section 8 of chapter 179 of the Laws of 1937 (section 4925-28 of Remington's Revised Statutes) and repealing sections 4713; 4714; 4715; 4716; 4717; 4720; 4877; 4878 and 4680-1."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

On motion of Senator Kyle, 500 additional copies of Senate Bill No. 209 were ordered printed.

Senate Bill No. 210, by Senator Copeland, entitled: "An Act exempting from the payment of inheritance tax gifts, bequests, devises and transfers of property for certain designated purposes and amending section 8 of chapter 134 of the Laws of 1931."

The bill was read the first time, and on motion of Senator Copeland the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 211, by Senator Haddon, entitled: "An Act relating to education and providing for the organization and maintenance of special schools in second and third class school districts, amending sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of chapter 179 of the Laws of 1937, and adding two new sections thereto to be known as section 10-A and section 10-B."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 212, by Senator Wanamaker, entitled: "An Act relating to the hours of service of drivers or operators of motor vehicles transporting passengers for hire, prescribing maximum road mileage, prescribing the duties of certain state officers and providing penalties."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Labor and Labor Statistics.

Senate Bill No. 213, by Senator Drumheller, entitled: "An Act defining and regulating the business of making loans in the amount of \$300 or less; providing for the licensing of persons engaged in such business; providing for the administration of this act and for the issuance of rules and regulations therefor; authorizing examinations and investigations by the director of licenses and the publication of reports thereof; prescribing penalties and repealing all acts and parts of acts which relate to the same subject matter as this act, so far as they are inconsistent with the provisions of this act."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

President Meyers assumed the chair.

House Bill No. 105, by Representative Kehoe, entitled: "An Act requiring the display of the United States flag on the campuses of the state institutions of higher education."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

House Bill No. 108, by Representative Hurley, entitled: "An Act authorizing the exchange of state lands for lands owned by F. L. Rohrbach."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House Bill No. 109, by Representative Hurley, entitled: "An Act authorizing the conveyance to the Fairmont Cemetery Association of certain state lands in Spokane county."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

GENERAL FILE

Senate Bill No. 79:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 25, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 79, entitled: "An Act declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; creating such housing authorities in cities and in counties; defining the powers and duties of housing authorities and providing for the exercise of such powers, including acquiring property, borrowing money; issuing bonds and other obligations, and giving security therefor; providing that housing authorities may obtain the attorney general's opinion upon their bonds; providing that housing authorities, their property and securities shall be exempt from taxation and assessment, but authorizing certain payments in lieu of taxes; providing that bonds of housing authorities shall be legal investments; conferring remedies on obligees of housing

authorities; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 15, line 4, page 15 of the original bill, the same being section 15, lines 8 and 9, page 9, of the printed bill by inserting after the word "been" and before the word "planned" the following: "issued for a housing project of such character and said project shall be conclusively deemed to have been".

FRED S. DUGGAN, *Chairman.*

We concur in this report: Earl Maxwell, A. M. Murfin, Albert D. Rosellini, Judson W. Shorett, Harold P. Troy, Leroy L. Todd, F. L. Morgan, Ralph Metcalf, Clifford O. Moe, H. I. Kyle, Geo. F. McAulay, Mary Farquharson.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senator Sieler moved the adoption of the following amendment:

Amend section 3, line 12, page 2 of the printed bill, same being line 18, page 2 of the original bill, by striking the words "any class" and insert in lieu thereof: "the first class or Class 'A'".

Senator Maxwell assumed the chair.

On motion of Senator Metcalf, the motion by Senator Sieler was laid on the table.

Senator Sieler moved the adoption of the following amendment:

Amend section 3, lines 12 to 15, page 2 of the printed bill, same being line 21, page 2 of the original bill, by striking the second and last sentences referring to "county".

On motion of Senator Kyle, the motion was laid on the table.

Senator Klemgard moved the adoption of the following amendment:

Amend section 4, line 21, page 3 of the printed bill, same being line 23, page 4 of the original bill, after the word "city" strike the words "and in each county".

Senator Thomas moved that the amendment be laid on the table.

Senators Dawson, Troy, McMillan, Klemgard, Orndorff, Copeland, Drumheller and Haddon demanded a roll call.

A roll call was ordered.

The motion of Senator Thomas to lay on the table carried by the following vote:

Those voting aye were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, McDonald, Metcalf, Moe, Morgan, Murfin, Percival, Reardon, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Joyce and Wanamaker—22.

Those voting nay were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Henderson, Keller, Klemgard, Koontz, Lovejoy, McAulay, McMillan, Mills, Orndorff, Roberts, Roup, Sieler, Stinson and Troy—20.

Absent or not voting: Senators Haddon, Holt, Keeler and Murphy—4.

Senator Roberts requested that the following statement be made a part of the minutes and be copied into the journal.

EXPLANATION OF VOTE

The reason for my voting no on Senator Thomas' motion to table Senator Klemgard's amendment to Senate Bill No. 79 was for the purpose of asking for reconsideration, if necessary.

JOSEPH D. ROBERTS.

Senator Sieler moved the adoption of the following amendment:

Amend section 4, line 9, page 4 of the printed bill, same being line 32, page 5 of the original bill, by adding thereto the following:

Provided, That any person, corporation or association shall have the right of appeal, to the Superior Court of the county wherein such city is situated, within twenty (20) days after adoption of such resolution.

President Meyers assumed the chair.

On motion of Senator Kerstetter, the motion by Senator Sieler was laid on the table.

Senator Duggan moved the adoption of the committee amendment.

The motion carried.

Senator Klemgard moved to re-refer Senate Bill No. 79 to the Committee on Judiciary.

On motion of Senator Farquharson, the motion was laid on the table.

Senators Shorett, Bloomer and Farquharson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 79 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Duggan, Edwards, Farquharson, Ferryman, Haddon, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Murphy, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Henderson, Klemgard, McAulay, Mills, Orndorff and Sieler—9.

Absent or not voting: Senators Holt and Keeler—2.

The bill having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Lovejoy, Senate Bill No. 79 was ordered immediately engrossed and transmitted to the House.

Senate Bill No. 80:

Senator Drumheller assumed the chair.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 25, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 80, entitled: "An Act authorizing cities, towns, counties, and other public bodies and subdivisions to aid housing projects of housing authorities or of the United States of America by conveying or dedicating property, by furnishing parks, playgrounds, streets, roads, water, sewer or drainage facilities and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; authorizing cities, towns, counties and other public bodies and subdivisions to purchase bonds of housing authorities, to make agreements respecting the exercise of their powers relating to the remedying or elimination of unfit dwellings, and to make agreements relating to payments by housing authorities; authorizing certain cities, towns and counties to pay moneys to housing authorities; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Earl Maxwell, Albert D. Rosellini, Judson W. Shorett, Harold P. Troy, Leroy L. Todd, Ralph Metcalf, Clifford O. Moe, H. I. Kyle, F. L. Morgan, Geo. F. McAulay, Mary Farquharson.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senator Rosellini assumed the chair.

Senator Klemgard moved that Senate Bill No. 80 be re-referred to the Committee on Judiciary for purposes of amendment.

On motion of Senator Farquharson, the motion was laid on the table.

Senator Klemgard moved the adoption of the following amendment:

Amend section 9, line 11 of the printed bill, by adding to Sec. 4 the following: "This act shall also include all rights by the authority to enter into production for use in all its phases."

President Meyers assumed the chair.

On motion of Senator Malstrom, the motion by Senator Klemgard was laid on the table.

The Secretary called the roll on the final passage of Senate Bill No. 80, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Duggan, Edwards, Farquharson, Ferryman, Haddon, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Murphy, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—34.

Those voting nay were: Senators Copeland, Dawson, Henderson, Klemgard, McAulay, Mills, Orndorff and Sieler—8.

Absent or not voting: Senators Drumheller, Holt, Keeler and Maxwell—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Orndorff, the rules were suspended and Senate Bill No. 80 was ordered immediately transmitted to the House.

Senate Bill No. 105:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 105, entitled: "An Act relating to banks, maintaining branch banks or branch banking offices; requiring the presentation at such branch bank or banking office of all checks, notes, trade acceptances, orders for payment and stop payment orders, confirmations or renewals relating to or to be paid out of any account or deposit maintained at such branch bank or banking office, and requiring that tender of payment or any note, draft or trade acceptance payable at or drawn on or acceptable at any branch bank or banking office shall be made at such branch bank or banking office," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. F. McAULAY, *Chairman.*

We concur in this report: Robert T. McDonald, Thomas Voyce, Henry J. Copeland, Kathryn E. Malstrom, Joseph D. Roberts, Herbert H. Sieler, Geo. A. Lovejoy, F. L. Morgan, Fred S. Duggan.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

Senators Murfin, Lovejoy, Shorett and McAulay demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 105, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Those voting nay were: Senator Reardon—1.

Absent or not voting: Senators Drumheller, Holt and Keeler—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 66:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 66, entitled: "An Act relating to school directors, increasing their powers and providing for the joint purchase of supplies and equipment and amending section 4776 of Remington's Revised Statutes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, sub-section 7, page 2, line 5 of the original bill, the same being section 1, sub-section 7, line 24 of the printed bill, after the word "provide" and before the word "textbooks" insert the word "free".

LULU D. HADDON, *Chairman*.

We concur in this report: Kathryn E. Malstrom, Mary Farquharson, Geo. F. McAulay, Gordon Klemgard, Keiron W. Reardon, Pearl A. Wanamaker.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

On motion of Senator Haddon, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 66, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Drumheller, Holt and Keeler—3.

The bill having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 138, by Committee on Insurance, entitled: "An Act relating to life insurance policy loans and advances, the computation of interest thereon, providing the remedy for the collection of such interest, and amending chapter 49, Laws of 1911 as amended, the same being sections 7032 to 7298 inclusive, Remington's Revised Statutes, by adding thereto a new section to be known as section 184-A.", was read the third time.

Senators Orndorff, Maxwell and Keller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 138, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Those voting nay were: Senators Keller and Morgan—2.

Absent or not voting: Senators Holt and Keeler—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President appointed Senators Wanamaker, Farquharson and Duggan as the Senate Committee from the State of Washington to confer with a similar Committee from the State of Oregon in reference to uniform laws with reference to marriage licenses.

Senator Murfin gave notice that at the proper time tomorrow, he would move to amend Senate Rule No. 8.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 1, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 11 and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., February 2, 1939.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 3, also the House has passed House Joint Memorial No. 7, also the Speaker has signed House Bill No. 11, also House Bill No. 20, and the same are herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

The President signed House Bills Nos. 11 and 20.

Senator Reardon assumed the chair.

At 12:50 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 11:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate*.

EARLE M. McCROSKEY, *Secretary of the Senate*.

TWENTY-SIXTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Friday, February 3, 1939.

The Senate was called to order at 11:00 o'clock a. m. by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Holt, who was excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend M. P. O'Dwyer, of St. Michael's Parish of Olympia, offered prayer.

On motion of Senator Farquharson, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

House Concurrent Resolution No. 3, by Committee on Rules and Joint Rules: Relating to a joint session for the purpose of holding memorial services.

The resolution was read the first time, and on motion of Senator Duggan the rules were suspended, the resolution was read the second time by title, and placed on general file.

The Secretary read:

House Joint Memorial No. 7, by Committee on Memorials: Relating to the general welfare act and adequate provision for old-age assistance.

The memorial was read the first time, and on motion of Senator Metcalf the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Rules and Joint Rules.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 2, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bills Nos. 79 and 66, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,
....., *Chairman.*

We concur in this report: Robert T. McDonald, Harold P. Troy, Paul G. Thomas, Joseph D. Roberts.

On motion of Senator Thomas, the report of the committee was adopted.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 98:

The Committee on Forestry and Logged-off Lands recommended that Senate Bill No. 98 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 103:

The Committee on Forestry and Logged-Off Lands recommended that Senate Bill No. 103 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 127:

The Committee on Educational Institutions recommended that Senate Bill No. 127 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Joint Resolution No. 1:

A majority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 1 do pass with certain amendment.

A minority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 1 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 207:

The Committee on Revenue and Taxation recommended that Senate Bill No. 207 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 69:

The Committee on Agriculture recommended that Substitute Senate Bill No. 69 be substituted therefor and that it do pass.

Senator Maxwell moved that the usual number of copies of Substitute Senate Bill No. 69 be printed.

The motion carried.

The President ordered that the report of the committee, together with the bill, be placed on general file.

Senate Bill No. 88:

The Committee on Commerce and Manufacturing recommended that Senate Bill No. 88 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 2, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 87, also Engrossed House Bill No. 103, and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

INTRODUCTION OF BILLS

Senate Bill No. 214, by Senator Wanamaker, entitled: "An Act relating to unemployment compensation, and amending section 19 of chapter 162 of the Session Laws of 1937."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

Senate Bill No. 215, by Senator Kyle, entitled: "An Act relating to third class cities; providing for and fixing the terms of offices for mayor, attorney, clerk and treasurer thereof."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations Other Than First Class.

Senate Bill No. 216, by Senator Haddon, entitled: "An Act abolishing the death penalty as punishment for crime; amending section 1 of chapter 112 of the Laws of 1919 and section 1 of chapter 6 of the Laws of 1933, Extraordinary Session; and repealing sections 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of chapter 9 of the Laws of 1901, Extraordinary Session and sections 1131, 1133 and 1136 of the Code of 1881."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 217, by Senator Troy, entitled: "An Act relating to the holders of beer retailers' licenses to sell pasteurized beer at retail in bottles and original packages and amending section 7306-23Q of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Liquor Control.

Senate Bill No. 218, by Senator McDonald, entitled: "An Act creating and establishing a primary state highway system; defining powers and duties of director of highways relative thereto; providing for maintenance thereof; providing for payment of all outstanding unpaid bonds and issuance of certificates therefor, and repealing all acts or parts of acts in conflict therewith."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 219, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to unemployment compensation, amending chapter 162 of the Laws of 1937, providing for the transfer of certain funds to the railroad unemployment insurance account in the United States treasury, making an appropriation and declaring an emergency."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Social Security.

On motion of Senator Drumheller, the usual number of copies of Senate Bill No. 219 were ordered printed.

Senate Bill No. 220, by Senator McAulay, entitled: "An Act providing for the regulation of field trials for hunting dogs and providing penalty for the violation thereof."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate Bill No. 221, by Senator McAulay, entitled: "An Act relating to outdoor advertising, regulating and licensing persons engaged in the business of outdoor advertising and persons erecting or maintaining outdoor advertising signs or structures, providing for the issuance and revocation of permits and fees therefor, providing for the public safety and security for public travel, requiring the administration and enforcement of this act by the director of highways, creating the outdoor advertising fund, providing for the disposition of fees, making an appropriation, and prescribing penalties."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 222, by Senator Lovejoy, entitled: "An Act relating to automatic vending machines, prohibiting the vending or sale of cigarettes, cigars and/or tobacco by the use thereof, and providing penalties for violations thereof."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Morals.

Senate Bill No. 223, by Senators McAulay and Lovejoy, entitled: "An Act relating to the investment of funds held in trust by corporations doing a trust business, and amending section 20 of chapter 42 of the Laws of 1933 (section 3255n of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Banks and Banking.

Senate Bill No. 224, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to the department of agriculture; prescribing a method for conducting the hearings of said department and prescribing for procedure in appeals from decisions and orders of the director; declaring an emergency."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Reardon the usual number of copies of Senate Bill No. 224 were ordered printed.

Senate Bill No. 225, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to fees to be paid by persons, firms and corporations subject to regulation by the department of public service, and amending sections 1, 3, and 4 of chapter 158 of the Laws of 1937, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Reardon, the usual number of copies of Senate Bill No. 225 were ordered printed.

Senate Bill No. 226, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act providing for the regulation and supervision of the issuance and sale of certain securities, to prevent fraud in the sale thereof; amending chapter 69, Laws of 1923, and chapter 182, Laws of 1937, and providing for the issuance of pre-organization subscriptions, the payment of consideration therefor, and the licensing thereof, and prescribing fees for pre-organization permits."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Reardon, the usual number of copies of Senate Bill No. 226 were ordered printed.

Senate Bill No. 227, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act providing an excise tax upon the business of distributing, selling, withdrawing or in any manner using refined or partially refined liquid or liquefiable petroleum products, except gasoline, medicinal oils, wax, and lubricating oils, and repealing sections 78, 79, 80, 81 and 81-a, chapter 180, Laws of 1935, as amended by chapter 116, Laws of 1937 (sections 8370-78, 8370-79, 8370-80, 8370-81 and 8370-81-a of Remington's Revised Statutes of the State of Washington)."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

On motion of Senator Reardon, the usual number of copies of Senate Bill No. 227 were ordered printed.

Senate Bill No. 228, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act establishing within the department of social security a division for improving the condition of the blind and for the prevention of blindness and prescribing the power and duties thereof; establishing a home industries revolving fund to assist the blind to become self-supporting and amending section 5 of chapter 132 of the Laws of 1937, being Remington's Revised Statutes 10007-3."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Social Security.

On motion of Senator Reardon, the usual number of copies of Senate Bill No. 228 were ordered printed.

Senate Bill No. 229, by Senator Roberts (By Request), entitled: "An Act relating to Sabbath breaking and amending sections 2494 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Morals.

On motion of Senator Roberts, the usual number of copies of Senate Bill No. 229 were ordered printed.

Senate Bill No. 230, by Senator Keller, entitled: "An Act relating to public utility districts and amending section 7 of chapter 1 of the Laws of 1931 (section 11611 of Remington's Revised Statutes), and declaring an emergency."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

Senate Bill No. 231, by Senators Troy and Maxwell, entitled: "An Act relating to intoxicating liquors; creating a seasonal beer license for persons operating outing parks and beach resorts and fixing a fee therefor; amending chapter 62 of the Laws of 1933, Extraordinary Session, as amended, by adding a new section thereto to be known as section 23-S½; and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Liquor Control.

Senate Bill No. 232, by Senators Troy and Maxwell, entitled: "An Act relating to courts determining penalties in murder cases, amending section 1 of chapter 112 of the Laws of 1919 and repealing section 87 of chapter IX, page 409, of the Laws of 1854."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 233, by Senators Troy and Maxwell, entitled: "An Act relating to courts determining penalties in kidnaping cases and amending section 1 of chapter 6 of the Laws of 1933, Extraordinary Session."

The bill was read the first time, and on motion of Senator Troy, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 234, by Senators Troy and Maxwell, entitled: "An Act relating to the deferring of judgment and sentence in criminal cases and the disposal thereof without pronouncing the same and amending section 136 of chapter 15, page 416, of the Laws of 1854."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 235, by Senators Troy and Maxwell, entitled: "An Act relating to convictions for crime; authorizing the submission of criminal actions to the court without a jury; amending section 57 of chapter 249 of the Laws of 1909; and repealing section 108 of chapter XII, page 412, of the Laws of 1854, and all acts or parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 236, by Senators Troy and Maxwell, entitled: "An Act defining reckless driving and amending section 118 of chapter 189 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 237, by Senator Maxwell, entitled: "An Act relating to temporary licenses for public, state and county fairs, and carnivals; providing

for licensing of collective games and contests of mixed skill and chance such as beano and similar games and contests; prescribing penalties; repealing all acts and parts of acts in conflict therewith; and declaring an emergency."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Morals.

Senate Bill No. 238, by Senator Stinson, entitled: "An Act providing for and regulating the recount of ballots and the recanvass of votes registered on voting machines at any election held within the state."

The bill was read the first time, and on motion of Senator Stinson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Senate Bill No. 239, by Committee on Rules and Joint Rules (By Request of the Lieutenant-Governor), entitled: "An Act relating to the departments of state government, providing for biennial audits thereof, prescribing duties of the auditor relating thereto, and amending section 19 of chapter 176 of the Laws of 1935 (section 10786-18 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Kyle, the usual number of copies of Senate Bill No. 239 were ordered printed.

Senate Bill No. 240, by Senators Mills and Klemgard, entitled: "An Act relating to the platting, subdivision and dedication of land; regulation of standards, surveys and sketches thereof and amending section 5, chapter 186, Laws of 1937."

The bill was read the first time, and on motion of Senator Mills the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Engrossed House Bill No. 87, by Representative Mohler, entitled: "An Act relating to revenue and taxation, providing for the levy and collection of a tax or excise upon the use of tangible personal property, establishing rules of evidence, procedure, and off-sets, amending section 31, chapter 180 of the Session Laws of 1935, amending sections 31 and 35 of chapter 180 of the Session Laws of 1935 as amended by chapter 191, Session Laws of 1937, adding three new sections to chapter 180, Session Laws of 1935, and declaring an emergency."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

Engrossed House Bill No. 103, by Representative French, entitled: "An Act relating to taxation; providing for cancellation of or reduction in the assessment of property erroneously assessed through errors in description, double assessments or manifest errors in assessment which do not involve a revaluation of the property, and the correction of error in extending tax-rolls and for the refund of taxes based thereon; defining the duties of certain state and county officers in connection therewith; and declaring an emergency."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

GENERAL FILE

Senate Bill No. 125:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 125, entitled: "An Act relating to irrigation districts comprising an area of two hundred thousand (200,000) or more acres of land, providing for dividing such districts into director divisions and for the election of directors from such divisions, on the board of directors of the irrigation district, limiting the amounts of district assessments which may be levied in any director division thereof in any one calendar year to two cents per acre under the conditions specified therein, repealing all laws or parts of same inconsistent or in conflict herewith, and providing that this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman.*

We concur in this report: Geo. F. McAulay, Chas. F. Stinson, J. M. Koontz, Clifford O. Moe, Herbert H. Sieler, A. M. Murfin.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 125, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Absent or not voting: Senator Maxwell—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 126:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 126, entitled: "An Act relating to irrigation and reclamation districts and to the prevention of land speculation therein, consenting to, adopting, ratifying, authorizing and enacting the provisions of that certain Act of Congress of May 27, 1937, entitled 'An Act to prevent speculation in lands in the Columbia Basin prospectively irrigable by reason of the construction of the Grand Coulee Dam project and to aid actual settlers in securing such lands at the fair appraised value thereof as arid land, and for other purposes' in so far as the provisions of said Federal Act, or any of them, in whole or in part, may come within the scope of state jurisdiction or authority or be applicable to state lands, authorizing and empowering such irrigation and reclamation districts to comply with the provisions of this act, authorizing and directing the inclusion of state lands in such district, the acceptance of the appraisal of state lands under said federal act, and the sale thereof at public auction at not less than such ap-

praised value and in parcels of not more than eighty (80) acres in any one parcel or more than eighty (80) acres to any one person, and providing for cooperation with the Secretary of the Interior in carrying out said act, authorizing boards of county commissioners to contract with the United States to subject county owned lands in any such district to such act of Congress upon the terms agreed upon in such contract, providing that each section and provision of the act is separable from every other and no part thereof to be held invalid on account of the unconstitutionality of any other part, repealing all laws or parts of same inconsistent or in conflict herewith, and providing that this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman.*

We concur in this report: J. M. Koontz, Geo. F. McAulay, Chas. F. Stinson, Clifford O. Moe, A. M. Murfin.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

Senator Reardon moved the adoption of the following amendment to Senate Bill No. 126:

Amend the bill by striking the emergency clause at conclusion of the bill and in the title.

On motion of Senator Lovejoy, the amendment was laid on the table.

The Secretary called the roll on the final passage of Senate Bill No. 126, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Holt, McMillan, Murphy and Sieler—4.

The bill, having received the constitutional majority was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 141:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 141, entitled: "An Act relating to the investment and management of trust funds; amending sections 1 and 3 of chapter 37, Extraordinary Session of 1933, as amended by chapter 11 of the Laws of 1935," have had same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend Sec. 2, page 2, line 2, of the original bill, the same being Sec. 2, line 21 of the printed bill, by inserting after the word and figure "Section 3." four asterisks.

Geo. F. McAulay, *Chairman.*

We concur in this report: Robert T. McDonald, Thomas Voyce, Henry J. Copeland, Kathryn E. Malstrom, Joseph D. Roberts, Herbert H. Sieler, Geo. A. Lovejoy, F. L. Morgan, Fred S. Duggan.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

On motion of Senator Kyle, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 141 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Drumheller, Holt and Keeler—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 142:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 142, entitled: "An Act relating to and regulating investments by mutual savings banks and amending section 3a of chapter 74 of the Laws of 1929, as inserted by and contained in section 1, chapter 10, Laws of 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, subsection (a), line 13, of the original bill, the same being section 1, subsection (a), line 6 of the printed bill, after the word "and" and before the word "may" by inserting four asterisks.

Amend section 1, subsection (b), line 17, of the original bill, the same being section 1, subsection (b), line 8, of the printed bill, after the word "and" and before the word "may" by inserting four asterisks.

Amend section 1, subsection (c), line 21, of the original bill, the same being section 1, subsection (c), line 12, of the printed bill, after the word "and" and before the word "may" by inserting four asterisks.

GEO. F. MCAULAY, *Chairman*.

We concur in this report: Robert T. McDonald, Thomas Voyce, Henry J. Copeland, Kathryn E. Malstrom, Joseph D. Roberts, Herbert H. Sieler, Geo. A. Lovejoy, F. L. Morgan, Fred S. Duggan.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

On motion of Senator McAulay, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 142, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Holt, Keeler and Moe—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 43:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 24, 1939.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 43, entitled: "An Act relating to the use and furnishing of stamps, coupons, tickets, certificates, cards and other similar devices, for or with the sale of goods, wares or merchandise and amending chapter 134 of the Laws of 1913, (section 8361 of Remington's Revised Statutes.)", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, line 21 of the original bill, the same being section 1, line 11, of the printed bill by striking the period (.) after the word "device" and inserting in lieu thereof a comma (,) and the following sentence "which, however, shall not be issued, circulated or distributed by retail vendors except when contained in or attached to an original package."
PEARL A. WANAMAKER, *Chairman.*

We concur in this report: Leroy L. Todd, Chapin A. Mills, Chas. F. Stinson, Paul G. Thomas, Thomas Voyce, Joseph Drumheller, Earl Maxwell.

On motion of Senator Wanamaker, the report of the committee was received and the bill was read the third time.

On motion of Senator Wanamaker, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 43, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Drumheller, Holt and Keeler—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 72:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 72, entitled: "An Act authorizing and directing a conveyance by quitclaim deed in behalf of the State of Washington to the Great Northern Railway Company of certain real estate," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman.*

We concur in this report: Earl Maxwell, Harold P. Troy, Ted F. Schroeder, T. C. Bloomer, W. R. Orndorff, Leroy L. Todd, Geo. F. McAulay, Clifford O. Moe, Pearl A. Wanamaker, C. F. Stinson, Howard Roup, J. W. Henderson, J. M. Koontz, Thomas Voyce, H. I. Kyle, Herbert H. Sieler, Joe L. Keeler.

On motion of Senator Keller, the report of the committee was received and the bill was read the third time.

On motion of Senator Keller, the following amendment was adopted:

Amend section 1, line 20 of the printed bill, same being line 30 of the original bill, after the comma (,) following the word "Washington" strike the words "as shown in green color on the map attached hereto and made a part hereof."

Senator Kerstetter assumed the chair.

Senators Orndorff, Koontz and Shorett demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 72, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Absent or not voting: Senators Drumheller, Holt, Keeler, McMillan and Schroeder—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 73:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 73, entitled: "An Act authorizing and directing a conveyance by quitclaim deed in behalf of the State of Washington to the Great Northern Railway Company of certain real estate," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman.*

We concur in this report: Earl Maxwell, Harold P. Troy, Ted F. Schroeder, T. C. Bloomer, W. R. Orndorff, Leroy L. Todd, Geo. F. McAulay, Clifford O. Moe, Pearl A. Wanamaker, C. F. Stinson, Howard Roup, J. W. Henderson, J. M. Koontz, Thomas Voyce, H. I. Kyle, Herbert H. Sieler, Joe L. Keeler.

On motion of Senator Keller, the report of the committee was received and the bill was read the third time.

On motion of Senator Keller, the following amendments were adopted:

Amend section 1, line 23 of the printed bill, same being line 4, page 2 of the original bill, after the word "station" and before the semi-colon (;) strike the figures "3258.71.6" and insert in lieu thereof the figures "3258+71.6".

Amend section 1, page 2, line 3 of the printed bill, same being lines 14 and 15 of the original bill, after the word "way" and before the word "lands" strike the word "or" and insert in lieu thereof the word "and".

The Secretary called the roll on the final passage of Senate Bill No. 73, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff,

Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Drumheller, Holt, Keeler and Schroeder—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 12:50 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until Monday, February 6th, 1939, at 11:00 o'clock a. m.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

TWENTY-NINTH DAY

MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Monday, February 6, 1939.

The Senate was called to order at 11:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Ferryman, who was excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant-Governor Victor A. Meyers, that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Memorial No. 9, by Senator Roberts: Relating to rehabilitation of the harbor defenses of Puget Sound.

The memorial was read the first time, and on motion of Senator Roberts the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials.

House Concurrent Resolution No. 3, by the Committee on Rules and Order: Relating to a joint session of the Senate and House for the purpose of holding Memorial Services, was read the third time.

On motion of Senator Reardon, the resolution was adopted.

REPORTS OF STANDING COMMITTEES

House Joint Memorial No. 4:

A majority of the Committee on Memorials recommended that House Joint Memorial No. 4 do pass.

A minority of the Committee on Memorials recommended that House Joint Memorial No. 4 do not pass.

The reports of the committee, together with the memorial, were placed on general file.

Senate Joint Memorial No. 3:

A majority of the Committee on Memorials recommended that Senate Joint Memorial No. 3 do not pass.

A minority of the Committee on Memorials recommended that Senate Joint Memorial No. 3 do pass.

The reports of the committee, together with the memorial, were placed on general file.

Senate Joint Memorial No. 7:

The Committee on Memorials recommended that Senate Joint Memorial No. 7 do pass.

The report of the committee, together with the memorial, was placed on general file.

Senate Bill No. 25:

The Committee on Judiciary recommended that Senate Bill No. 25 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 101:

A majority of the Committee on Judiciary recommended that Senate Bill No. 101 do pass with an amendment.

A minority of the Committee on Judiciary recommended that Senate Bill No. 101 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 87:

The Committee on Revenue and Taxation recommended that Engrossed House Bill No. 87 do pass.

The report of the committee, together with the bill, was placed on general file.

House Joint Memorial No. 2:

The Committee on Memorials recommended that House Joint Memorial No. 2 do pass.

The report of the committee, together with the memorial, was placed on general file.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 3, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 43, 72, 73, 141 and 142, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Robert T. McDonald, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, February 3, 1939.

CLARENCE D. MARTIN, *Governor.*

To the Honorable the Senate of the State of Washington:

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bill, entitled: Senate Bill No. 17: "An Act authorizing the conveyance of certain platted first-class shore lands to King county for recreational purposes."

Very truly yours,

RICHARD HAMILTON,
Secretary to the Governor.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 3, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 8, also
House Bill No. 123, also

The House has adopted Senate Concurrent Resolution No. 3, and the same are
herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 4, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 55, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., February 3, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Concurrent Resolution No. 3, have compared same with the original resolution and find it correctly enrolled.

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: A. M. Murfin, W. C. Dawson, Monty Percival, Mary Farquharson.

On motion of Senator Lovejoy, the report of the committee was adopted.

INTRODUCTION OF BILLS

Senate Bill No. 241, by Senators Duggan and McAulay, entitled: "An Act relating to the welfare of minor children, their care, custody, control and adoption, and providing penalties; amending sections 1, 4 and 5 of chapter 150 of the Laws of 1935 and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 242, by Senators Duggan and McAulay, entitled: "An Act relating to adoption; providing for investigation; and amending section 1 of chapter 158 of the Laws of 1927 and section 1669 of the Code of 1881; repealing section 1668 of the Code of 1881; and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 243, by Senator Murphy, entitled: "An Act relating to fur-bearing animals; declaring certain kinds thereof to be personal property; providing for identification thereof by branding with tattoo or other marks; and authorizing the recording of such marks."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dairy and Livestock.

Senate Bill No. 244, by Senator Voyce, entitled: "An Act relating to the safety apparatus in coal mining operations and amending section 118 of chapter 36 of the Session Laws of 1917 (being section 8753 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Voyce the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Mines and Mining.

Senate Bill No. 245, by Senator McDonald, entitled: "An Act relating to the proceeds of life insurance and amending section 2 of chapter 92 of the Laws of 1927 of the State of Washington (section 7230-1 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Insurance.

Senate Bill No. 246, by Senator Kyle, entitled: "An Act abolishing contributory negligence in certain actions and establishing the doctrine of comparative negligence therein."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 247, by Senator Kyle, entitled: "An Act relating to new trials granted in the superior courts and supreme court for errors relating to damages."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 248, by Senator Kyle, entitled: "An Act relating to the survival of causes of actions."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 249, by Senator Wanamaker, entitled: "An Act relating to aid for dependent children, providing for appeals from decisions of the director of social security, and amending section 8, chapter 114 of the Laws of 1937, and adding two new sections thereto to be known as section 8-A and section 8-B."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

Senate Bill No. 250, by Senator Morgan, entitled: "An Act relating to official bonds, and requiring all police and peace officers, and all public officers charged with the duty of making arrests in connection with their official duties, to execute and file surety bonds."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 251, by Senator Keeler, entitled: "An Act relating to counting the funds and examining certain accounts of county, city and town treasurers, defining the duties of certain county, city and town officials, providing for filing reports, prescribing penalties, for violation thereof, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Keeler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 252, by Senator Keeler, entitled: "An Act providing for assigning an assistant attorney general to the division of municipal corporations in the state auditor's office, amending chapter 76 of the Laws of 1909, and declaring an emergency."

The bill was read the first time, and on motion of Senator Keeler the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate Bill No. 253, by Senators Wanamaker, Haddon and Kyle, entitled: "An Act relating to the operation of ferries; providing for the acquisition of ferries and ferry services by gift, purchase and condemnation; relating to the powers and duties of the Washington toll bridge authority and certain officers; providing for the acquisition, construction, operation and maintenance of ferry vessels and ferry services; relating to certain actions of the legislature of the State of Washington; defining the powers and duties of certain state officers; providing for the issuance and sale of bonds and the conditions, terms and redemption thereof; providing for the deposit and use of certain funds and revenues; defining terms; repealing acts and parts of acts in conflict; providing for constitutionality; and declaring an emergency."

On motion of Senator Wanamaker, the rules were suspended and three names of sponsors were permitted to appear on Senate Bill No. 253.

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 254, by Senator Reardon (By Departmental Request), entitled: "An Act relating to crimes, the granting and regulating of probation, creating probation officers, suspension of imposition and execution of sentence, dismissal of information or indictment in certain cases, and repealing section 6 of chapter 114 of the Laws of 1935 and substituting this act therefor."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

On motion of Senator Maxwell, the usual number of copies of Senate Bill No. 254 were ordered printed.

Senate Bill No. 255, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to the powers and duties of the governor, lieutenant-governor and other state officers and amending sections 10985 and 10986, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Maxwell, the usual number of copies of Senate Bill No. 255 were ordered printed.

Senate Bill No. 256, by Senator Duggan, entitled: "An Act relating to the regulation of privately and publicly owned public utilities manufacturing, transmitting, distributing, or selling electricity for hire, and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

Senate Bill No. 257, by Senator Morgan (By Departmental Request), entitled: "An Act relating to the vacation of the DesChutes waterway in the city of Olympia."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

On motion of Senator Morgan, the usual number of copies of Senate Bill No. 257 were ordered printed.

Senate Bill No. 258, by Senator Duggan, entitled: "An Act relating to mining claims, and providing that the interest of the owner of the possessory right in mining claims shall be considered real property."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Mines and Mining.

Senate Bill No. 259, by Senator Orndorff, entitled: "An Act relating to licensing of boxing, sparring and wrestling contests or exhibitions; providing for exemptions therefrom, and amending section 22 of chapter 184 of the Laws of 1933 (section 8276-22 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Orndorff the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Military.

Senate Bill No. 260, by Senator Rosellini, entitled: "An Act relating to levy of tax on cigarettes; providing for the collection and distribution of said levy; providing for allocation of revenues therefrom, amending section 82 of chapter 180 of the Laws of 1935 and section 22 of chapter 227 of the Laws of 1937 (sections 8370-82 and 8370-211, respectively, of Remington's Revised Statutes); and declaring this act shall take effect May 1, 1939."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 261, by Senator Maxwell, entitled: "An Act relating to certain port districts; authorizing the acquisition or construction of shipyards, and the borrowing of money and the issuance of bonds therefor; and declaring an emergency."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Municipal Corporations Other Than First Class.

Senate Bill No. 262, by Senator Maxwell, entitled: "An Act relating to the payment of fees for assistance in collecting delinquent taxes withheld from the state, and in securing refunds on excessive freight rates charged the state, and declaring an emergency."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 263, by Senator Holt (By Request), entitled: "An Act regulating and licensing the practice of sanipractic (health-practice), creating a committee for such physicians, defining the powers and duties of such committee, defining the term 'sanipractic,' regulating the use of certain professional terms and abbreviations, creating a sanipractic physicians' fund, defining unprofessional conduct, defining sanipractic institution, defining minor sanipractic surgery, defining anesthesia, creating and appropriating license fees, prescribing penalties for violation of this act, and repealing all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

On motion of Senator Holt, the usual number of copies of Senate Bill No. 263 were ordered printed.

Senate Bill No. 264, by Senator Maxwell, entitled: "An Act relating to the practice of dentistry and amending section 20 of chapter 112 of the Laws of 1935 (section 10031-20 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

Senate Bill No. 265, by Senator Moe, entitled: "An Act relating to compensation and expenses of county commissioners in all counties where such commissioners are paid on a per diem basis, and repealing section 4053, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Compensation and Fees for State and County Officers.

Senate Bill No. 266, by Senator Moe, entitled: "An Act relating to the selection of jurors in the superior courts and amending section 1 of chapter 191, Laws of the Extraordinary Session of 1925 (section 96 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

House Bill No. 123, by Representative Devenish, entitled: "An Act relating to public highways and motor vehicles; providing for the parking of motor vehicles within incorporated cities and towns; amending section 108 of chapter 189, Session Laws of 1937; and declaring an emergency."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

Engrossed House Bill No. 8, by Representative Hurley (Joseph E.), entitled: "An Act providing for notice of resignation or removal of executor or administrator and amending section 121 of chapter 156 of the Laws of 1917."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 55, by Representative Schumann, entitled: "An Act relating to the possession of property sold under execution, during the period of redemption, amending section 1 of chapter 93 of the Laws of 1927."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

GENERAL FILE

Engrossed House Bill No. 87:

On motion of Senator Drumheller, Engrossed House Bill No. 87 was ordered placed at the head of the calendar.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 3, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 87, entitled: "An Act relating to revenue and taxation, providing for the levy and collection of a tax or excise upon the use of tangible personal property, establishing rules of evidence, procedure, and off-sets, amending section 31, chapter 180 of the Session Laws of 1935, amending sections 31 and 35 of chapter 180 of the Session Laws of 1935 as amended by chapter 191, Session Laws of 1937, adding three new sections

to chapter 180, Session Laws of 1935, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman*.

We concur in this report: Kebel Murphy, Harold P. Troy, F. L. Morgan, N. P. Atkinson, W. R. Orndorff, James T. Sullivan.

On motion of Senator Drumheller, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 87, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Joyce and Wanamaker—40.

Absent or not voting: Senators Ferryman, Keeler, Klemgard, Maxwell, Roberts and Sieler—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Murfin, the rules were suspended and Engrossed House Bill No. 87 was ordered immediately transmitted to the House.

Senate Bill No. 114:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 2, 1939.

MR. PRESIDENT:

We, your Committee on State Charitable Institutions, to whom was referred Senate Bill No. 114, entitled: "An Act relating to state government and state institutions, providing for the establishment and operation of a public institution for the treatment and care of persons afflicted with Buergers disease and for experimental and scientific study of such disease and the medicinal and curative properties of the waters of Soap Lake, making an appropriation, and declaring this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend Sec. 6, page 2, line 13, of the original bill, the same being Sec. 6, page 2, line 6, of the printed bill, by striking the period after the word "week" and inserting in lieu thereof a colon and adding the following:

"*Provided*, That no charges shall be made to a veteran or wife or widow of a veteran who was a citizen and resident of the state prior to 1935."

MONTY PERCIVAL, *Chairman*.

We concur in this report: Chapin A. Mills, Herbert H. Sieler, F. L. Morgan, Kebel Murphy, Kathryn E. Malstrom, Lulu D. Haddon.

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 114.

The bill was considered in the committee of the whole, Senator McAulay in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Reardon, the report of the committee was adopted.

On motion of Senator Reardon, the committee amendment read in the committee of the whole was adopted.

Senator Reardon moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 114, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Absent or not voting: Senators Drumheller and Ferryman—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sieler, the rules were suspended and Senate Bill No. 114 was ordered engrossed and immediately transmitted to the House.

Senate Bill No. 115:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 115, entitled: "An Act relating to alien and non-resident insane, feeble minded, and epileptic persons, providing for their deportation, making it unlawful to bring or aid in bringing an insane, feeble minded, or epileptic person into the state without having obtained permission and providing a penalty therefor, and amending sections 6933, 6934, 6935 and 6936, Remington's Revised Statutes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, E. I. Kyle, F. L. Morgan, Geo. F. McAulay, Herbert H. Sieler, Ralph Metcalf, Clifford O. Moe.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senator Farquharson moved the adoption of the following amendment:

Amend section 4, line 22 of the printed bill, same being line 5 of the original bill, strike the words "feeble minded or epileptic".

On motion of Senator Orndorff, the amendment was laid on the table.

The Secretary called the roll on the final passage of Senate Bill No. 115, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Those voting nay were: Senators Farquharson, Kerstetter and Reardon—3.

Absent or not voting: Senators Ferryman and McMillan—2.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

Senate Bill No. 98:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 2, 1939.

MR. PRESIDENT:

We, your Committee on Forestry and Logged-off Lands, to whom was referred Senate Bill No. 98, entitled: "An Act relating to the acquiring, seeding, reforestation and administration of lands for state forests; providing for the issuance and disposition of \$300,000 of utility bonds therefor; and amending section 2 of chapter 104 of the Laws of 1937," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

TED F. SCHROEDER, *Chairman.*

We concur in this report: Ralph Metcalf, Joe L. Keeler, Pearl A. Wanamaker.

On motion of Senator Schroeder, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 98, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Those voting nay were: Senator Morgan—1.

Absent or not voting: Senators Ferryman, McMillan and Moe—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President signed Senate Concurrent Resolution No. 3.

Senator Troy assumed the chair.

MOTION

On motion of Senator Atkinson, 300 additional copies of Senate Bill No. 168 were ordered printed.

At 1:00 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRTIETH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Tuesday, February 7, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

REQUEST

The Committee on Memorials request that each Senator check up the list of former members of the Senate for whom Memorial Services are to be held on Monday next, as shown in House Concurrent Resolution No. 3.

If any are found to be omitted, the Senator is requested to so advise the Secretary of the Senate.

RALPH METCALF, *Chairman*.
N. P. ATKINSON,
GORDON KLEMGARD.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 6, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 114, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, Joseph D. Roberts, Harold P. Troy, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 92:

The Committee on Public Utilities recommended that Senate Bill No. 92 do pass as amended.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 230:

The Committee on Public Utilities recommended that Senate Bill No. 230 do pass as amended.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 184:

The Committee on Roads and Bridges recommended that Senate Bill No. 184 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 6, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Concurrent Resolution No. 3, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate Bill No. 267, by Senator Voyce, entitled: "An Act relating to trap, drag seine, pound net, set net and other fixed appliance locations, construction of fixed appliances for fishing, construction of fish appliances, leads of pound nets, fish traps, set nets and the construction thereof and regulations appertaining thereto, and repealing sections 5679, 5680, 5681, 5683, 5684, 5685 and 5686 of Remington's Revised Statutes of Washington, and all other acts or parts of acts, inconsistent herewith, and declaring an emergency."

The bill was read the first time, and on motion of Senator Voyce the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate Bill No. 268, by Senator Duggan, entitled: "An Act relating to the resources of the state, providing for surveys thereof and plans for conservation, development and utilization of the same by the state planning council; and amending sections 2 and 3 of chapter 54 of the Laws of 1933, Extraordinary Session, being sections 10930-2 and 10930-3, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 269, by Senator Moe, entitled: "An Act making an appropriation for the maintenance, repair, improvements of the streets of the city of Grand Coulee, and declaring this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Moe, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 270, by Senators Rosellini and Lovejoy (By Request), entitled: "An Act relating to physically disabled persons; providing for their maintenance, security and welfare through the department of social security and the conditions thereof; providing certain powers and duties of such department; creating the disability fund and prescribing penalties."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title, and referred to the Committee on Social Security.

On motion of Senator Rosellini, the usual number of copies of Senate Bill No. 270 were ordered printed.

Senate Bill No. 271, by Senator Sullivan, entitled: "An Act relating to intoxicating liquors and amending section 7 of chapter 62, Laws of 1933, Extraordinary Session (section 7306-7 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Liquor Control.

Senate Bill No. 272, by Senator Murfin (By Departmental Request), entitled: "An Act giving consent of the state to the acquisition of lands by the United States as sites for forts, magazines, arsenals, dockyards and other needful buildings or for other purposes, ceding concurrent jurisdiction over lands so acquired subject to certain limitations and conditions and repealing sections 8108 and 8109, Rev. Stat., and all other acts and parts of acts inconsistent herewith but saving jurisdiction thereby ceded."

The bill was read the first time, and on motion of Senator Murfin, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

On motion of Senator Murfin, the usual number of copies of Senate Bill No. 272 were ordered printed.

Senate Bill No. 273, by Senator Reardon, entitled: "An Act relating to taxation; authorizing the state board of equalization to make a special levy to pay off the state debt in so far as it exceeds the limitations imposed thereon by the state constitution; and declaring an emergency."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 274, by Senator Kerstetter, entitled: "An Act relating to the acquirement, extension, operation and maintenance of waterworks systems by cities and towns, providing for the furnishing of water by such cities and towns to other municipal corporations, communities and persons, and amending section 3 of chapter 17 of the Laws of 1933, Extraordinary Session (section 9502-3 of Remington's Revised Statutes) and declaring an emergency."

The bill was read the first time, and on motion of Senator Kerstetter the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Cities of the First Class.

Senate Bill No. 275, by Senator Reardon, entitled: "An Act relating to temporary publication of session laws and to the publication of emergency acts and amending section 1 of chapter 31 of the Laws of 1933, Extraordinary Session (section 8198 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 276, by Senators Kyle and Reardon, entitled: "An Act relating to state government; increasing the powers and duties of the state auditor; transferring the same to him from the department of finance, budget and business; repealing all acts or parts of acts in conflict herewith; and declaring an emergency."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 277, by Senators Kyle and Reardon, entitled: "An Act relating to vocational education, accepting certain acts of Congress in relation thereto, providing for the promotion of vocational education, designating the State Board of Education as the State Board for Vocational Education, defining the duties of the State Board for Vocational Education and of the State Superintendent of Public Instruction in connection therewith, amending section 1 to section 5, inclusive, of chapter 160 of the Laws of 1919, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Kyle, the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 278, by Senator McAulay, entitled: "An Act relating to powers and duties of the director of game, and amending section 28 of chapter 3 of the Laws of 1933 (section 5880 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

GENERAL FILE

Senate Bill No. 120:

On motion of Senator Drumheller, Senate Bill No. 120 was re-referred to the Committee on Appropriations.

Senate Bill No. 127:

On motion of Senator Drumheller, Senate Bill No. 127 was re-referred to the Committee on Appropriations.

Senate Bill No. 71:

President Meyers assumed the chair.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 6, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 71, entitled: "An Act relating to the issuance of marriage licenses and repealing section 8450 of Rem. Rev. Stat. (Pierce's Code 3717), and providing for the issuance of marriage licenses in county of residence, for three-day notice of intention, and for waiver in the event of emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, F. L. Morgan, Mary Farquharson, Herbert H. Sieler, Geo. F. McAulay, H. I. Kyle, Ralph Metcalf, Clifford O. Moe, Harold P. Troy.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senator Mills moved the adoption of the following amendment:

Amend section 3 of the printed bill, strike section 3 and re-number the following sections accordingly.

On motion of Senator Kyle, the amendment was laid on the table.

Senator Maxwell moved the adoption of the following amendment:

Amend Senate Bill No. 71, page 2, immediately following line No. 29 of the printed bill, being line 20 of the original bill, by adding a new section to be numbered as section 8. "It shall hereafter be unlawful for any person of the Caucasian or white race to intermarry with any person of the Ethiopian or black race, Malayan or brown race, or Mongolian or yellow race, within this state; and all such marriages, or attempted marriages shall be absolutely null and void.

Sec. 9. All persons who shall intermarry contrary to the provisions of this act, or attempt to do so, by procuring a solemnization of marriage, shall be guilty of a gross misdemeanor.

Sec. 10. Any person authorized to license or solemnize marriages within this state, who shall wilfully or knowingly license, marry or attempt to marry any of the persons forbidden to marry under the provisions of this act, shall be guilty of a gross misdemeanor.

Re-number sections 8 and 9 of Senate Bill No. 71 to read sections 10 and 11."

Amend title: "prohibiting miscegenetic marriage between members of the white race with those of black, brown and yellow races; and providing penalties for the violation thereof."

Senator Kyle moved the amendment be laid on the table.

Senators Maxwell, Murphy, Morgan, Voyce, Murfin, Thomas, Mills and McMillan demanded a roll call.

The Secretary called the roll and the motion to lay on the table lost by the following vote:

Those voting aye were: Senators Atkinson, Farquharson, Ferryman, Holt, Keller, Kerstetter, Kyle, Malstrom, Metcalf, Morgan, Murfin, Roberts, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce—21.

Those voting nay were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Henderson, Keeler, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Mills, Moe, Murphy, Orndorff, Percival, Reardon, Roup, Sieler and Wanamaker—24.

Absent or not voting: Senator Haddon—1.

Senators McDonald, Duggan and Maxwell demanded the previous question.

The previous question was ordered.

The motion to amend by Senator Maxwell lost.

Senator Duggan moved the adoption of the following amendment:

Amend section 1, line 3 of the printed bill, same being line 8 of the original bill, strike "repealed," in line 3 and substitute in lieu thereof the words "amended to read as follows," and add in line 13 of the original bill, being line 4 of the printed bill, to present statute the words: "but no marriage ceremony shall be performed under such license sooner than three days after the issuance of license."

Senator Keller moved that the amendment be laid on the table.

Senators Reardon, Koontz, McMillan, Maxwell, Drumheller, Orndorff, Keller and Duggan demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion to lay on the table carried by the following vote:

Those voting aye were: Senators Atkinson, Dawson, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Kyle, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Those voting nay were: Senators Bloomer, Copeland, Drumheller, Duggan, Koontz, Lovejoy and Reardon—7.

Senator Sullivan moved the adoption of the following amendment:

Amend section 9, line 32 of the printed bill, same being line 22 of the original bill, strike "Sept. 1" and insert "June 1".

On motion of Senator McAulay, the amendment was laid on the table.

On motion of Senator Kyle, the following amendment was adopted:

Amend section 9, line 32, page 2 of the printed bill, by striking the whole of said section.

On motion of Senator Shorett, the following amendment was adopted:

Amend section 4, line 13 of the original bill, same being section 4, line 3, page 2 of the printed bill; after the word "one" and before the word "witness" strike the word "responsible" and insert in lieu thereof the word "competent".

Senators Orndorff, Drumheller and Maxwell demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 71, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 78:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., January 30, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 78, entitled: "An Act relating to the health, welfare and care of children in attendance at public schools; and repealing all acts in conflict therewith," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 6 of the original bill, the same being section 1, line 1 of the printed bill, by striking the word "director" and inserting in lieu thereof the word "directors".

LULU D. HADDON, *Chairman*.

We concur in this report: Kathryn E. Malstrom, Mary Farquharson, Geo. F. McAulay, Gordon Klemgard, Keiron W. Reardon, Pearl A. Wanamaker.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

On motion of Senator Wanamaker, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 78, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson,

Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Klemgard, McMillan, Orndorff and Roup—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 103:

On motion of Senator Schroeder, Senate Bill No. 103 was made a special order of business for tomorrow at 11:00 o'clock a. m.

Senator Ferryman assumed the chair.

There being no objection, the Senate referred back to the fourth order of business.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 42, also Engrossed Senate Bill No. 70, and the same are herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

At 11:55 a. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRTY-FIRST DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Wednesday, February 8, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant-Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Walter G. Comin, of the First United Presbyterian church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

On motion of Senator Drumheller, permission was granted to the junior employees of the Senate to use the Senate Chamber on Friday, February 10th, 1939, at 8:00 o'clock p. m.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 71 and 78, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Harold P. Troy, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

Senate Chamber,
Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 42 and 70, have compared same with the original bills and find them correctly enrolled.

Respectfully submitted,
GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Mary Farquharson, Monty Percival, W. C. Dawson, A. M. Murfin.

On motion of Senator Lovejoy, the report of the committee was adopted.

Senate Bill No. 23:

A majority of the Committee on State Granted, School and Tide Lands recommended that Substitute Senate Bill No. 23 be substituted for Senate Bill No. 23, and that it do pass.

A minority of the Committee on State Granted, School and Tide Lands recommended that Substitute Senate Bill No. 23 be substituted for Senate Bill No. 23 and that it do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 159:

A majority of the Committee on Industrial Insurance recommended that Senate Bill No. 159 do pass.

A minority of the Committee on Industrial Insurance recommended that Senate Bill No. 159 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 83:

A majority of the Committee on Industrial Insurance recommended that Senate Bill No. 83 do pass.

A minority of the Committee on Industrial Insurance recommended that Senate Bill No. 83 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 120:

The Committee on Appropriations recommended that Senate Bill No. 120 do pass as amended.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 210:

The Committee on Revenue and Taxation recommended that Senate Bill No. 210 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 194:

The Committee on Fisheries recommended that Senate Bill No. 194 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 87, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

The President signed Senate Bills Nos. 42 and 70 and House Bill No. 87.

INTRODUCTION OF BILLS

Senate Bill No. 279, by Senator McDonald, entitled: "An Act relating to the study of history in the public schools and amending section 1 of chapter 22 of the Laws of 1919 (section 4897 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 280, by Senator Klemgard, entitled: "An Act relating to public utilities and regulating the resale of any public utility service."

The bill was read the first time, and on motion of Senator Klemgard the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

Senate Bill No. 281, by Senator Sullivan, entitled: "An Act relating to insurance, providing for annual statements and taxes on premiums, and amending section 1 of chapter 43 of the Laws of 1937 (section 7071 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 282, by Senator Todd, entitled: "An Act relating to taxation; providing that personal property produced, manufactured or purchased

for the purpose of sale or re-sale shall be taxed on the basis of the average monthly inventory thereof during the preceding year; and amending section 1 of chapter 122 of the Laws of 1937 (section 11112-1 of Remington's Revised Statutes); and repealing all acts or parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Todd the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 283, by Senator Todd, entitled: "An Act relating to public highways; providing for secondary state highways as branches of Primary State Highway No. 17; amending section 17 of chapter 207, Session Laws of 1937; and declaring an emergency."

The bill was read the first time, and on motion of Senator Todd the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 284, by Senator Haddon, entitled: "An Act relating to education, creating a state school relief fund for the relief of needy school districts, prescribing procedure for obtaining such relief, defining powers and duties of certain state and county officers in connection therewith, and making appropriations from said state school relief fund and the current state school fund."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 285, by Senator Haddon, entitled: "An Act relating to education, amending section 3, chapter 26 of the Session Laws of Washington, 1933, being section 4719, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 286, by Senators Lovejoy and Haddon, entitled: "An Act authorizing municipalities to acquire, construct, reconstruct, improve, better and extend certain revenue-producing undertakings; to maintain and operate the same and to prescribe, revise and collect rates, fees, tolls, and charges for the services, facilities and commodities furnished thereby, and, in anticipation of the collection of the revenues thereof, to issue bonds payable solely from such revenues; regulating the issuance of such bonds and providing for their payment and for the rights of the holders thereof and other matters necessary in the premises; and declaring an emergency."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 287, by Senator Rosellini (By Request), entitled: "An Act relating to labor disputes and the issuance of restraining orders and injunctions in connection therewith; amending sections 1, 2, 4, 5, 7 and 13 of chapter 7 of the Laws of 1933, Extraordinary Session; and repealing sections 8, 11 and 12 thereof relating to the conditions precedent to relief and also to contempt proceedings."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Rosellini, the usual number of copies of Senate Bill No. 287 were ordered printed.

Senate Bill No. 288, by Senator Malstrom, entitled: "An Act relating to officers of county and state party committee organizations, and amending section 1 of chapter 200 of the Laws of 1927 (section 5198 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Malstrom the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Senate Bill No. 289, by Senator McDonald, entitled: "An Act dedicating to the City of Seattle certain lands lying within section 16, township 25 north, range 4 east, W. M., for street and/or boulevard purposes."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Educational Institutions.

Senate Bill No. 290, by Senators Orndorff and Sieler, entitled: "An Act relating to real estate brokers and real estate salesmen; providing for the licensing, regulation and examination thereof; establishing an examining commission; granting certain powers and duties; prescribing method of appeal to superior court; creating a fund and making an appropriation; amending sections 3, 4, 5, 6, 10, 13, 14, 17, 18 and 21 of chapter 129, Extraordinary Session Laws of 1925; adding new sections to said chapter to be known as sections 24 to 29, inclusive; and repealing section 11 of chapter 129, Extraordinary Session Laws of 1925."

The bill was read the first time, and on motion of Senator Orndorff the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 291, by Senator Edwards, entitled: "An Act providing for taxation of certain games, prohibiting play by minors and intoxicated persons, prescribing penalties and repealing all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 292, by Senator Farquharson, entitled: "An Act relating to coercion of public school teachers or employees by school officials, officers of school districts, administrators or representatives of school officials, officers of school districts and administrators, and providing penalty for the violation thereof."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 293, by Senator Maxwell, entitled: "An Act relating to miscegenetic marriage; prohibiting the same between members of the white race with those of the black, brown and yellow races; and prescribing penalties for violations thereof."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 294, by Senator Maxwell, entitled: "An Act relating to civil service in counties and creating a board of civil service commissioners in counties having fully paid deputy sheriffs and providing a civil service system based upon examination, investigation as to merit, efficiency and fitness for appointment, employment and promotion of all deputies and men appointed in said sheriff's departments thereunder; and regulating the transfer, reinstatement, suspension and discharge of said deputies and making the act inapplicable to certain counties and repealing all acts or parts of acts in conflict therewith; and prescribing penalties."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 295, by Senator Edwards, entitled: "An Act relating to fisheries; authorizing the construction and operation of pound nets in certain waters of the Puget Sound district and the taking and possessing of salmon and other food fish by means thereof; providing for the renewal, acquisition, and abandonment of pound net locations; requiring payment of pound net location and pound net operating license fees and fixing the amount thereof; defining manner in which such license may be acquired; requiring performance bonds from operating licensees; prescribing area in which operating licenses may be granted; empowering the director of fisheries under certain conditions to restrict such area; limiting the number of operating licenses which may be issued; empowering the director of fisheries under certain conditions to increase such number; conferring other powers related to the administration of the act on the director of fisheries; allocating all license fees for the benefit of the state department of fisheries; repealing acts or parts of acts in conflict therewith and declaring an emergency."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Fisheries.

Senate Bill No. 296, by Senators Keeler and Haddon, entitled: "An Act relating to public highways; providing for branches of Primary State Highway No. 9 and Primary State Highway No. 21; relating to certain secondary state highways; amending section 9 of chapter 190, Session Laws of 1937; section 19 of chapter 190, Session Laws of 1937; and section 18 of chapter 207, session Laws of 1937."

The bill was read the first time, and on motion of Senator Keeler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

CALL OF THE SENATE

Senators Reardon, Kyle and Henderson demanded a call of the Senate.

A call of the Senate was ordered.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll on the call of the Senate, all members being present.

On motion of Senator Reardon, the Senate proceeded under the call of the Senate.

GENERAL FILE

Senate Joint Resolution No. 1:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 1, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 1 "relating to terms of office of county officers, repealing Section 7, Article 11, of the state Constitution", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend Senate Joint Resolution No. 1 by adding a new paragraph to read as follows:

And, Be It Further Resolved, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three (3) months next preceding the election, in a weekly newspaper in every county where a newspaper is published throughout the state.

H. I. KYLE, *Chairman*.

We concur in this report: Mary Farquharson, Harold P. Troy, Keiron W. Reardon, W. R. Orndorff, Ralph Metcalf, Judson W. Shorett, Gordon Klemgard.

Senate Chamber,
Olympia, Wash., February 1, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 1, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: Kebel Murphy, Fred S. Duggan, Geo. F. McAulay.

On motion of Senator Kyle, the reports of the committee were received, and the bill was read the third time.

On motion of Senator Kyle, the committee amendment was adopted.

At 11:00 o'clock a. m., Senator Lovejoy moved that the unanimous consent of the Senate be granted for postponement of action on Senate Bill No. 103, which was a special order for this time, until completion of consideration of Senate Joint Resolution No. 1.

The motion carried.

Senators Troy, Kyle and McAulay demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 1, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Drumheller, Edwards, Farquharson, Ferryman, Holt, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—33.

Those voting nay were: Senators Copeland, Dawson, Duggan, Haddon, Henderson, Keeler, Koontz, McAulay, McMillan, Morgan, Murphy, Sieler and Stinson—13.

The resolution, having received the constitutional majority, was declared passed.

SPECIAL ORDER

Senate Bill No. 103:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 2, 1939.

MR. PRESIDENT:

We, your Committee on Forestry and Logged-off Lands, to whom was referred Senate Bill No. 103, entitled: "An Act relating to cut over lands, providing for abatement of fire hazards thereon, and amending section 1 of Chapter 134, Laws of 1929", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

TED F. SCHROEDER, *Chairman.*

We concur in this report: Ralph Metcalf, Joe L. Keeler, Pearl A. Wanamaker.

Senator Orndorff assumed the chair.

On motion of Senator Schroeder, the report of the committee was received, and the bill was read the third time.

Senator McAulay moved the adoption of the following amendment:

Amend section 1, line 31 of the original bill, same being section 1, line 20, page 1 of the printed bill, by striking the period (.) at the end of the printed bill and insert in lieu thereof a semi-colon (;) and add the following:

"Provided that said summary action hereinbefore referred to may be taken only after twenty (20) days' notice in writing has been given to the owner or reputed owner of the land on which the hazard exists either by personal service on said owner or by registered letter addressed to said owner at his last known place of residence."

Senator Percival moved that the amendment be laid on the table.

The motion by Senator Percival lost.

The amendment offered by Senator McAulay was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 103, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Maxwell, further proceedings under the call of the Senate were dispensed with.

Senate Bill No. 88:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 2, 1939.

MR. PRESIDENT:

We, your Committee on Commerce and Manufacturing, to whom was referred Senate Bill No. 88, entitled: "An Act relating to port districts in counties of the first class, authorizing the establishment, acquisition, improvement and development of industrial development districts therein, providing for the sale and lease of property within such industrial development districts, and providing penalties for the violation of

this act", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. C. DAWSON, *Chairman*.

We concur in this report: Lulu D. Haddon, Ted F. Schroeder, Albert D. Rosellini, Joseph D. Roberts.

On motion of Senator Dawson, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 88 and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Those voting nay were: Senator Dawson—1.

Absent or not voting: Senators Drumheller, Keller, Moe, Murphy and Sieler—5.

President Meyers assumed the chair.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Joint Memorial No. 6:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Joint Memorial No. 6, "Relating to an appropriation for the construction of a river wall on the Columbia River", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HERBERT H. SIELER, *Chairman*.

We concur in this report: J. W. Henderson, F. L. Morgan, John H. Ferryman, K. W. Reardon, Judson W. Shorett, Paul G. Thomas, H. I. Kyle, Ted F. Schroeder.

On motion of Senator Sieler, the report of the committee was received and the memorial was read the third time.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 6, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Drumheller, Ferryman, Keller, Kerstetter, Moe, Murphy and Sieler—7.

The memorial, having received the constitutional majority, was declared passed.

Senate Joint Memorial No. 7:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 3, 1939.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Joint Memorial No. 7, "Relating to the exemption of vessels under 200 tons gross tonnage from the provisions of Treaty Draft Convention No. 53", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

RALPH METCALF, *Chairman.*

We concur in this report: Gordon Klemgard, N. P. Atkinson.

On motion of Senator Metcalf, the report of the committee was received and the memorial was read the third time.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 7, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—41.

Absent or not voting: Senators Keller, McMillan, Murphy, Sieler and Wanamaker—5.

The memorial, having received the constitutional majority, was declared passed.

Senate Bill No. 25:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 3, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 25, entitled: "An Act relating to the giving of proof of financial responsibility by owners and operators of motor vehicles, providing penalties for certain offenses and declaring when this act shall take effect," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 2, of the printed bill, the same being section 1, line 5, of the original bill, by striking the word "section" and inserting in lieu thereof the word "act".

FRED S. DUGGAN, *Chairman.*

We concur in this report: Clifford O. Moe, Harold P. Troy, Ralph Metcalf, Leroy L. Todd, Judson W. Shorett, A. M. Murfin, H. I. Kyle, Geo. F. McAulay, Herbert H. Sieler, Albert D. Rosellini, F. L. Morgan.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendment was adopted.

On motion of Senator Morgan, the following amendment was adopted:

Amend the bill by striking the whole of section 42.

On motion of Senator Lovejoy, the following amendment was adopted:

Amend line 2 of the title of the printed bill by inserting a period (.) after the word "offenses" and strike the balance thereof.

The Secretary called the roll on the final passage of Senate Bill No. 25, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Those voting nay were: Senator Murphy—1.

Absent or not voting: Senators Schroeder and Sieler—2.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 108:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 1, 1939.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate Bill No. 108, entitled: "An Act regulating the taking of eulachon, smelt, candlefish or herring in the state of Washington, providing a license fee for the commercial taking thereof, amending section 51B of Chapter 31, Laws of 1915, as enacted in and by section 2, Chapter 133, Laws of 1931, being section 5704b, Remington's Revised Statutes, and declaring an emergency", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. E. EDWARDS, *Chairman*.

We concur in this report: Joe L. Keeler, J. P. Keller, T. C. Bloomer, Keiron W. Reardon, Judson W. Shorett, Leroy L. Todd.

On motion of Senator Edwards, the report of the committee was received and the bill was read the third time.

On motion of Senator Shorett, the following amendment was adopted:

Amend the bill by striking the whole of section 3.

On motion of Senator Shorett, the following amendment was adopted:

Amend line 4 of the title of the printed bill; after the word "Statutes" strike the balance of same and insert in lieu thereof a period (.)

The Secretary called the roll on the final passage of Senate Bill No. 108, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Drumheller, Klemgard and Sieler—3.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Wanamaker assumed the chair.

There being no objection, the Senate referred back to the fifth order of business.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 42; also
Senate Bill No. 70; also
The House has passed Engrossed House Bill No. 10; also
Engrossed House Bill No. 37; also
Engrossed House Bill No. 81; also
Engrossed House Bill No. 110; and the same are herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

At 12:45 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 12:00 o'clock noon, tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRTY-SECOND DAY

NOON SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Thursday, February 9, 1939.

The Senate was called to order at 12:00 o'clock noon, by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

Senator Shorett was excused for the day.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant-Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Walter G. Comin, of the First United Presbyterian Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 25, 103 and 108, and Engrossed Senate Joint Resolution No. 1, have compared same with the original bills and resolution and find them correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Joseph D. Roberts, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 36:

A majority of the Committee on Judiciary recommended that Senate Bill No. 36 do pass with amendments.

A minority of the Committee on Judiciary reported Senate Bill No. 36 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 171:

The Committee on Judiciary recommended that Senate Bill No. 171 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 94:

The Committee on Judiciary recommended that Senate Bill No. 94 do not pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 201:

The Committee on Judiciary recommended that Senate Bill No. 201 do pass. The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 127:

The Committee on Appropriations recommended that Senate Bill No. 127 do pass.

The report of the committee, together with the bill, was placed on general file.

There being no objection, the Senate referred back to the first order of business for the purpose of considering the following Senate Resolution.

The Secretary read:

SENATE RESOLUTION

By Senator Roberts:

WHEREAS, the State of Washington and the North Pacific Coast of the United States is now the part of our country most vulnerable to attack; and

WHEREAS, it is to the interest of the rest of the nation that this area be well protected so as to prevent any possible foothold being obtained on these shores by any foreign power; and

WHEREAS, National Defense Week is being celebrated from February 12 to February 22, this year in the State of Washington;

Now, Therefore, Be It Resolved, by the Senate of the State of Washington that requests be forwarded, in the name of this body, to the President, the Congress, the War Department and the Navy Department of the United States, calling upon each of them to do all in their power to increase the defenses of the State of Washington and the Pacific Northwest in the following particulars:

1. Rapid completion of the GHQ Air Force Training Center at McChord Field, Tacoma, with appropriate permanent fields for bombardment, pursuit, attack and observation units.

2. Complete observation squadron of 14 planes with 3d Division at Fort Lewis.

3. Modern bombardment planes for Reserve bombardment squadron at Seattle.

4. At least 11 advance landing fields on the north and west frontiers of the State of Washington.

5. GHQ Air Depot east of the mountains.

6. Complete modern equipment for National Guard observation squadron at Spokane.

7. Modernization, reconstruction and additional armament of Forts Worden, Casey, and Flagler to guard the entrance to Puget Sound.

8. Modernization, reconstruction and additional armament for Forts Canby, Columbia and Stevens, guarding the entrance to the Columbia River.

9. A National Guard anti-aircraft protection in the vicinity of Puget Sound and Grays Harbor.

10. Retention and maintenance of Forts Lawton and George Wright.

11. Complete peace time strength Infantry Division, plus Chemical Warfare unit and a mechanized or horse Cavalry regiment at Fort Lewis.

12. Railroad improvement and extension where necessary, including emplacements for railway artillery for Coastal Defense.

13. Improvement of existing road nets and construction of concrete emplacements for motorized artillery at vulnerable points on the Coast.

14. Allotment of sufficient federal funds to maintain the active service of the Reserve Officers' Association and other military personnel in the State of Washington.

Senator Roberts moved the adoption of the resolution.

Senator McAulay moved the adoption of the following amendment:

Add a new subdivision to read:

15. The early completion of the White Pass Highway.

On motion of Senator Maxwell, the amendment was laid on the table.

Senator Reardon moved that the resolution be referred to the Committee on Memorials.

Senator Schroeder moved as an amendment that the resolution be referred to the Committee on Military.

Senator Thomas moved that the motion of Senator Schroeder to refer the resolution to the Committee on Military be laid on the table.

The motion by Senator Thomas failed to carry.

The motion by Senator Schroeder that the resolution be referred to the Committee on Military carried.

The Senate resumed consideration of committee reports.

REPORTS OF STANDING COMMITTEES

House Bill No. 119:

A majority of the Committee on Appropriations recommended that House Bill No. 119 do pass.

A minority of the Committee on Appropriations recommended that House Bill No. 119 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 96:

The Committee on Social Security recommended that Senate Bill No. 96 be re-referred to the Committee on Cities of the First Class.

On motion of Senator Koontz, the report of the Committee was adopted, and Senate Bill No. 96 was re-referred to the Committee on Cities of the First Class.

Senate Bill No. 243:

The Committee on Dairy and Livestock recommended that Senate Bill No. 243 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 220:

The Committee on Game and Game Fish reported Senate Bill No. 220 back to the Senate without recommendation.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 278:

The Committee on Game and Game Fish recommended that Senate Bill No. 278 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 59:

The Committee on Counties and County Boundaries recommended that Senate Bill No. 59 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 53:

The Committee on State Granted, School and Tide Lands recommended that Senate Bill No. 53 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 109:

The Committee on State Granted, School and Tide Lands recommended that House Bill No. 109 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 108:

The Committee on State Granted, School and Tide Lands recommended that House Bill No. 108 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 33:

The Committee on Judiciary recommended that Senate Bill No. 33 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 34:

The Committee on Judiciary recommended that Senate Bill No. 34 do pass with amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 40:

The Committee on Judiciary recommended that Senate Bill No. 40 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 104:

The Committee on Judiciary recommended that Senate Bill No. 104 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 117:

The Committee on Judiciary reported Senate Bill No. 117 back to the Senate without recommendation.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 172:

The Committee on Judiciary recommended that Senate Bill No. 172 do pass with amendments.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 68, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate Bill No. 297, by Senator Wanamaker, entitled: "An Act making an appropriation for the state institute of child development research and service."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 298, by Senator Sullivan, entitled: "An Act relating to taxation and repealing chapter 96 of the Laws of 1931 relating to the exemption of certain intangible personal property therefrom."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 299, by Senator McAulay, entitled: "An Act relating to public highways, establishing, designating and describing secondary state

highways as branches of Primary State Highway No. 5, and amending section 6 of chapter 207 of the Laws of 1937 (section 6402-6 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 300, by Senator Roberts, entitled: "An Act regulating the advertising and sale of second-hand watches and providing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Commerce and Manufacturing.

Senate Bill No. 301, by Senator Reardon, entitled: "An Act relating to the State Board of Education and amending section 1 of chapter 65 of the Laws of 1925, Extraordinary Session (section 4525 of Remington's Revised Statutes) and section 2 of sub-chapter 3 of title I of chapter 97 of the Laws of 1909 (section 4526 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 302, by Senators Lovejoy and Kyle, entitled: "An Act relating to receivership and liquidation proceedings, providing for the segregation of certain assets in such proceedings and the manner thereof, providing for the creation of special corporations, partnerships or trusts, fixing the duties and powers of courts, receivers, liquidators and trustees, amending certain acts, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Financial Institutions Other Than Banks.

Senate Bill No. 303, by Senator Rosellini, entitled: "An Act relating to the payment of wages or compensation for labor or services in private employments; defining the duties of prosecuting attorneys relative to its enforcement; and amending section 2 of chapter 96 of the Laws of 1935 (section 7596-2 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 304, by Senator Percival, entitled: "An Act relating to the regulation and control of water within the State of Washington, providing for the filing of applications therefor, fixing fees, giving notice of hearing thereon and amending section 1 of chapter 161 of the Laws of 1925 (section 7381 of Remington's Revised Statutes) and section 4 of chapter 122 of the Laws of 1929 (section 7382 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Percival the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate Bill No. 305, by Senator Maxwell, entitled: "An Act relating to sewer districts outside the limits of incorporated cities and towns; providing

for the establishment, organization, financing, operation and regulation thereof, and for the construction and acquisition of facilities therefor, and for the costs, maintenance and operation thereof; and defining the powers and duties of such districts and of public officials and municipal corporations in connection therewith; and declaring an emergency."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 306, by Senator Maxwell, entitled: "An Act relating to sewers and drains, and refuse, and authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate systems of sewerage and drainage, and outfalls, works, plants and facilities for sewage treatment and disposal, and systems and plants for refuse collection and disposal, providing for modes of payment therefor, repealing chapter 39 of the Session Laws of 1931, and declaring an emergency."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Engrossed House Bill No. 10, by Representative Hurley, entitled: "An Act relating to bonds of executors and administrators and amending section 67 of chapter 156 of the Laws of 1917, and providing for the issuance of letters testamentary or of administration without bond in certain instances."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 37, by Representative Cameron, entitled: "An Act relating to Metropolitan Park Districts and amending section 6724, Remington's Revised Statutes of Washington (section 5, chapter 98, Session Laws of 1907 as amended by chapter 97 of Session Laws of Extraordinary Session of 1925)."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, and referred to the Committee on Parks and Playgrounds.

Engrossed House Bill No. 81, by Representative Bienz, entitled: "An Act relating to the creation, government and maintenance of fire protection districts outside of cities and towns; providing for the levy and collection of taxes and assessments against the lands within the district; authorizing the issuance and disposal of district warrants; repealing chapter 60 of the Laws of 1933, Extraordinary Session; and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 110, by Representative Chervenka, entitled: "An Act relating to nursery stock and amending section 2 of chapter 148 of the Laws of 1937 (section 2858, Remington's Revised Statutes), and repealing section 2859, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Mills the rules were suspended, the bill was read the second time by title, and referred to the Committee on Horticulture.

GENERAL FILE

Senate Bill No. 69:

On motion of Senator McMillan, Senate Bill No. 69 was re-referred to the Committee on Agriculture.

Senate Bill No. 207:

On motion of Senator Murfin, Senate Bill No. 207 was re-referred to the Committee on Revenue and Taxation.

Senate Bill No. 184:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 6, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 184, entitled: "An Act relating to the transportation of property by motor vehicle over the public highways of the State of Washington, and amending section 7 of chapter 184 of the Laws of 1935 as amended by section 7 of chapter 166 of the Laws of 1937, and section 10 of chapter 166 of the Laws of 1937, and section 28 of chapter 184 of the Laws of 1935 as amended by section 20 of chapter 166 of the Laws of 1937, and providing that this act shall take effect April 1, 1939," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman*.

We concur in this report: T. C. Bloomer, C. F. Stinson, Clifford O. Moe, Howard Roup, Leroy L. Todd, J. W. Henderson, Joe L. Keeler, Ted F. Schroeder, Thomas Voyce, Herbert H. Sieler, H. I. Kyle, J. M. Koontz, Pearl A. Wanamaker.

On motion of Senator Keller, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 184, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Drumheller, McMillan, Schroeder and Shorett—4.

Senator Reardon assumed the chair.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 68, have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman*.

We concur in this report: W. C. Dawson, Monty Percival, Mary Farquharson, A. M. Murfin.

The President signed Senate Bill No. 68.

On motion of Senator Lovejoy, the report of the committee was adopted.

At 1:27 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRTY-THIRD DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Friday, February 10, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 213:

A majority of the Committee on Judiciary recommended that Senate Bill No. 213 do pass with certain amendments.

A minority of the Committee on Judiciary reported Senate Bill No. 213 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

President Meyers assumed the chair.

Senate Bill No. 211:

The Committee on Education recommended that Senate Bill No. 211 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 167:

The Committee on Education recommended that Senate Bill No. 167 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 39:

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 39 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 151:

A majority of the Committee on State Charitable Institutions recommended that Senate Bill No. 151 do pass with certain amendments.

A minority of the Committee on State Charitable Institutions reported Senate Bill No. 151 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 231:

The Committee on Liquor Control recommended that Senate Bill No. 231 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 68, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 132; also House Joint Memorial No. 8; also Engrossed House Joint Resolution No. 4; also Senate Bill No. 126, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

HOUSE AMENDMENTS TO SENATE MEMORIAL

House of Representatives,
Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

The House has passed Senate Joint Memorial No. 1 with the following amendment: "On page 2, lines 10 and 11 of the original memorial, being the last two lines of the printed memorial, after the word "rescinded" insert a period (.) and strike the balance of the sentence.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Kyle, the Senate concurred in the House amendment.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 1, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumbheller, Duggan, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Atkinson, Edwards and Schroeder—3.

The memorial, having received the constitutional majority, was declared passed.

The Secretary read:

HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,
Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 125 with the following amendments:

In line 4 of the title of the original bill, being line 3 of the printed bill, after the word "directors" and before the word "such" strike the word "from" and insert in lieu thereof the word "for".

In section 1, line 17 of the original bill, being line 6 of the printed bill, after the word "elector" strike the word "in" and insert in lieu thereof the word "of".

In section 1, line 17 of the original bill, being line 6 of the printed bill, after the word "elected" strike the word "from" and insert in lieu thereof the word "for".

In section 1, lines 20 and 21 of the original bill, being lines 8 and 9 of the printed bill, strike the words "An elector of a director division shall be considered to be an elector of the district who owns land in such division," and insert in lieu thereof the words "Any district elector shall be considered an elector of the director division in which he holds title to or evidence of title to land."

In section 1, line 22 of the original bill, being line 9 of the printed bill, strike the word "owning" and insert in lieu thereof the following words: "holding title to or evidence of title to".

In section 4, line 12 of the original bill, being line 3 of the printed bill, strike the word "existing".

In section 4, line 21 of the original bill, being line 10 of the printed bill, strike the word "existing".

In section 7, line 21 of the original bill, being line 33 of the printed bill, strike the word "existing".

In section 8, line 24 of the original bill, being line 34 of the printed bill, strike the word "existing", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Moe, the Senate concurred in the House amendments.

The Secretary called the roll on the final passage of Senate Bill No. 125, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Farquarson, Ferryman, Haddon, Henderson, Holt, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Absent or not voting: Senators Drumheller, Edwards, Keeler, Keller and Schroeder—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF BILLS

Senate Bill No. 307, by Senators Haddon and Atkinson, entitled: "An Act relating to crimes and punishment, referring to minors, and amending section 1 of chapter 17 of the Laws of 1919."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 308, by Senator McMillan, entitled: "An Act relating to the power of institutions of higher education to construct certain buildings and borrow money therefor, and repealing chapter 91, Laws of the Extra-

ordinary Session of 1925, as amended (sections 4543-1 and 4543-2 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McMillan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Educational Institutions.

Senate Bill No. 309, by Senator Sullivan, entitled: "An Act relating to elections and to precinct election boards and the appointments thereof, and amending section 1 of chapter 29 of the Laws of the Extraordinary Session of 1933, as amended by section 1 of chapter 5 of the Laws of 1935 (section 5147 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Senate Bill No. 310, by Senator Edwards, entitled: "An Act relating to forestry, forest lands, the acquisition and transfer thereof and the powers of the State Forest Board and the officers of the several counties relative thereto."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Forestry and Logged-off Lands.

Senate Bill No. 311, by Senators Lovejoy and Kyle, entitled: "An Act establishing a commission for the investigation of hospital associations, medical service bureaus and similar institutions, making an appropriation and declaring an emergency."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Insurance.

Senate Bill No. 312, by Senators Morgan and Rosellini (By Request), entitled: "An Act prohibiting the advertising for or the soliciting of choses in action for the purpose of collection, settlement or suit thereon; and providing penalties."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Rosellini, the usual number of copies of Senate Bill No. 312 were ordered printed.

Senate Bill No. 313, by Senators Morgan and Rosellini (By Request), entitled: "An Act relating to the assignment of choses in action and suits based thereon, and amending section 1 of chapter 87 of the Laws of 1927 (section 191 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Rosellini, the usual number of copies of Senate Bill No. 313 were ordered printed.

Senate Bill No. 314, by Senator Holt, entitled: "An Act relating to state penal institutions and the care and maintenance of prisoners therein, and providing for the reimbursement to the state on account thereof in certain cases."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Penal and Reformatory Institutions.

Senate Bill No. 315, by Senators Sullivan and Edwards, entitled: "An Act relating to the department of agriculture; prohibiting adulteration, misbranding, and false advertising of foods, drugs, devices, and cosmetics; providing for the registration of certain foods, drugs, devices, and cosmetics; making an appropriation; repealing chapter 168 of the Laws of 1917, and chapter 21 of the Laws of 1907 as amended by chapter 36 of the Laws of 1923; (section 6137 to section 6139, inclusive, section 6144 to section 6154, inclusive, of Remington's Revised Statutes; section 2535 to section 2548, inclusive, of Pierce's Code;) providing that this act shall take effect immediately, and for other purposes."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Agriculture.

On motion of Senator Sullivan, 500 additional copies of Senate Bill No. 315 were ordered printed.

Senate Bill No. 316, by Senators Metcalf and Shorett, entitled: "An Act to provide a statue to Isaac Ingalls Stevens for the national statuary hall in the capitol at Washington, D. C., and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Metcalf the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 317 by Senators Schroeder and Wanamaker, entitled: "An Act relating to the issuance of permits for the installation of electric wiring and the charging of inspection fees therefor, and amending chapter 169 of the Session Laws of 1935 by adding thereto a new section to be designated as 4-a."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

House Joint Memorial No. 8, by Representatives Mackie, Twidwell and Pearsall, "Relating to the red cedar shingle industry of the State of Washington."

The memorial was read the first time, and on motion of Senator Metcalf the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

House Bill No. 132, by the Committee on Dairy and Livestock, entitled: "An Act relating to deceased animals, providing for payment of indemnities therefor, amending section 12 of chapter 165 of the Laws of 1927 as amended by section 1 of chapter 146 of the Laws of 1937, making an appropriation, and declaring an emergency."

The bill was read the first time, and on motion of Senator Todd the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dairy and Livestock.

GENERAL FILE

Senate Bill No. 171:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 171, entitled: "An Act relating to homesteads, and amending section 1 of chapter 38 of the Laws of 1931, section 2 of chapter 193 of the Laws of 1927, section 7 of chapter 64 of the Laws of 1895, section 24 of chapter 64 of the Laws of 1895, and section 1 of chapter 36 of the Laws of 1933," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 3, line 19, page 2, of the original bill, the same being section 3, line 7, page 2 of the printed bill, by striking the period after the word "law" and adding the following: "and recording the same in the county where the former declaration was filed."
FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, F. L. Morgan, Leroy L. Todd, Geo. F. McAulay, H. I. Kyle, Ralph Metcalf, Harold P. Troy.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 171, and it passed the Senate, as amended, by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 172:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 172, entitled: "An Act relating to the setting aside of property in lieu of homestead and amending section 1 of chapter 185 of the laws of 1927," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 9, page 1, of the printed bill, the same being section 1, line 17, page 1, of the original bill, by inserting a comma (,) after (\$3,000.00).

Amend section 1, line 18, page 1, of the original bill, the same being section 1, line 10, page 1, of the printed bill, by striking the comma (,) after the word "materialmen's".

Amend section 1, line 21, page 1, of the printed bill, the same being section 1, line 1, page 2, of the original bill, by striking the word "notice" and inserting in lieu thereof the word "notices".

Amend section 1, line 18, of the original bill by striking the word "laboroer's" and inserting in lieu thereof the word "laborer's".

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Albert D. Rosellini, Ralph Metcalf, Judson W. Shorett, Harold P. Troy, H. I. Kyle, F. L. Morgan, Leroy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendments were adopted.

On motion of Senator Duggan, the following amendment was adopted:

Amend section 1, line 12, page 2 of the original bill, same being section 1, line 4, page 2 of the printed bill, after the word "the" and before the word "of" insert the word "time".

The Secretary called the roll on the final passage of Senate Bill No. 172, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Absent or not voting: Senators Drumheller, Ferryman, McMillan, Murphy and Roberts—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 127:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 127, entitled: "An Act authorizing the purchase by the state of two dormitory buildings for the Central Washington College of Education, providing for the subsequent operation or leasing thereof by the said institution and the repayment of the state general fund out of net revenue therefrom, defining the powers and duties of certain officers in connection therewith and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: Alfred E. Holt, Robert T. McDonald, Paul G. Thomas, Mary Farquharson, G. B. Kerstetter, D. E. McMillan, John H. Ferryman, W. C. Dawson, A. E. Edwards, Gordon Klemgard, Kathryn E. Malstrom, Monty Percival, Geo. A. Lovejoy, Chapin A. Mills, Henry J. Copeland, Joseph Drumheller, Howard Roup.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 127.

The bill was considered in the committee of the whole, Senator Wanamaker in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Wanamaker, the report of the committee was adopted.

Senator Reardon moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Klemgard, Bloomer and Percival demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 127, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Those voting nay were: Senator Rosellini—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 120:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 120, entitled: "An Act relating to the state soldiers' home and the colony of the state soldiers' home; amending section 3 of chapter 106, of the Laws of 1915, as amended by section 1 of chapter 276 of the Laws of 1927; and making an appropriation therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 3, line 18 of the original bill, the same being section 3, lines 9 and 10 of the printed bill, by inserting a comma after the word "value" and striking the word "and" after the word "clothing".

JUDSON W. SHORETT, *Chairman*.

We concur in this report: Alfred E. Holt, George A. Lovejoy, J. H. Ferryman, D. E. McMillan, Monty Percival, W. C. Dawson, Mary Farquharson, Joseph Drumheller, Robert T. McDonald, Gordon Klemgard, Kathryn E. Malstrom, Paul G. Thomas, Chapin A. Mills, G. B. Kerstetter, Henry J. Copeland, A. E. Edwards, Howard Roup.

On motion of Senator Lovejoy, the Senate resolved into a committee of the whole to consider Senate Bill No. 120.

The bill was considered in the committee of the whole, Senator Ferryman in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Ferryman, the report of the committee was adopted.

Senator Lovejoy moved that the reading had in the committee of the whole be considered the third reading of the bill, and that it be placed on final passage.

The motion carried.

On motion of Senator Lovejoy, the following amendment to the committee amendment was adopted.

Amend the committee amendment in lines 1 and 2 of the committee amendment by striking the word and figure "Section 3" and insert in lieu thereof "Section 1".

On motion of Senator Shorett, the committee amendment, as amended, was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 120, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—42.

Those voting nay were: Senator Reardon—1.

Absent or not voting: Senators Farquharson, Maxwell and Troy—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 33 and

Senate Bill No. 34:

On motion of Senator McAulay, consideration of Senate Bills Nos. 33 and 34 was deferred until Monday, February 13th, 1939. There being no objection, it was ordered that Senate Bills Nos. 33 and 34 would hold their places on the calendar for next Monday.

Senate Bill No. 40:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 40, entitled: "An Act relating to and increasing the jurisdiction of justices of the peace, and amending section 44 of Remington's Revised Statutes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Albert D. Rosellini, Ralph Metcalf, Judson W. Shorett, Leroy L. Todd, Harold P. Troy, H. I. Kyle, F. L. Morgan.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senator Holt moved the adoption of the following amendment:

Amend section 1, line 9 of the printed bill, after the word "title" omit the words "to or possession".

On motion of Senator Kyle, the amendment was laid on the table.

The Secretary called the roll on the final passage of Senate Bill No. 40, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Drumheller, Farquharson and Maxwell—3. The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 201:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 201, entitled: "An Act relating to the recording of instruments concerning real property and amending section 10 of chapter 278 of the Laws of 1927 (section 10596-10 of Remington's Revised Statutes)," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Leroy L. Todd, Harold P. Troy, F. L. Morgan, Herbert H. Sieler, Geo. F. McAulay, Ralph Metcalf.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 201, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Drumheller, Keeler, Koontz, Maxwell, Metcalf and Schroeder—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Reardon assumed the chair.

There being no objection, the Senate referred back to the fourth order of business.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, February 10, 1939.

CLARENCE D. MARTIN, *Governor.*

To the Honorable, The Senate of the State of Washington:

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

Senate Bill No. 42: "An Act relating to insurance; requiring insurers to file annual statements; prescribing certain taxes and manner of computing the same; and amending section 26 of chapter 49 of the Laws of 1911, as amended by chapter 177, Laws of 1915, chapter 226, Laws of 1929, and chapter 43, Laws of 1937, (section 7071 of Remington's Revised Statutes); and declaring that this act shall take effect immediately."

Senate Bill No. 68: "An Act relating to the state government; creating the office of unemployment compensation and placement; providing for the appointment of a commissioner thereof, and defining his powers and duties; and transferring duties to such officer from the department of social security; abolishing the divisions of unemployment compensation and employment service of the department of social security, and declaring an emergency."

Senate Bill No. 70: "An Act transferring certain monies in and to be paid into the State Treasury and abolishing the shoreland improvement fund and defining the duties and powers of the state treasurer in connection therewith and declaring an emergency."

Very truly yours,

RICHARD HAMILTON,

Secretary to the Governor.

At 11:55 o'clock a. m., on motion of Senator Orndorff, the Senate adjourned until 11:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRTY-FOURTH DAY

MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Saturday, February 11, 1939.

The Senate was called to order at 11:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Haddon, who was excused.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Memorial No. 10, by Senators Metcalf and Mills: "Relating to a sesquicentennial celebration commemorating the discoveries of Captain Robert Gray."

The memorial was read the first time, and on motion of Senator Metcalf the rules were suspended, the memorial was read the second time, ordered printed and referred to the Committee on Memorials.

The Secretary read:

Engrossed House Joint Resolution No. 4, by Representatives Beckley and Babcock: "Creating a joint committee to make a major investigation and audit of the department of social security and more particularly the administrative costs thereof, and giving said committee certain powers."

The resolution was read the first time and on motion of Senator Koontz the rules were suspended, the resolution was read the second time, and referred to the Committee on Social Security.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 125 and 126, and Senate Joint Memorial No. 1, have compared same with the original bills and memorial and find them correctly enrolled.

Respectfully submitted,
GEO. A. LOVEJOY, *Chairman*.

We concur in this report: A. M. Murfin, W. C. Dawson, Monty Percival, Mary Farquharson.

On motion of Senator Lovejoy, the report of the committee was adopted.

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 120, 171 and 172, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, Harold P. Troy, Paul G. Thomas, Joseph D. Roberts.

On motion of Senator Holt, the report of the committee was adopted.

Senate Bill No. 197:

The Committee on State Granted, School and Tide Lands recommended that Senate Bill No. 197 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 257:

The Committee on State Granted, School and Tide Lands recommended that Senate Bill No. 257 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 146:

The Committee on State Granted, School and Tide Lands recommended that Senate Bill No. 146 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 289:

The Committee on Educational Institutions recommended that Senate Bill No. 289 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 103:

The Committee on Revenue and Taxation recommended that Engrossed House Bill No. 103 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Joint Memorial No. 8:

The Committee on Military recommended that Senate Joint Memorial No. 8 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 65:

The Committee on Municipal Corporations Other Than First Class recommended that Senate Bill No. 65 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 150:

The Committee on Municipal Corporations Other Than First Class recommended that Senate Bill No. 150 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 259:

The Committee on Military recommended that Senate Bill No. 259 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

President Meyers assumed the chair.

Senate Bill No. 28:

A majority of the Committee on Labor and Labor Statistics recommended that Senate Bill No. 28 do pass as amended.

A minority of the Committee on Labor and Labor Statistics recommended that Senate Bill No. 28 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 7:

A majority of the Committee on Education recommended that Senate Bill No. 7 do not pass.

A minority of the Committee on Education recommended that Senate Bill No. 7 do pass.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 105:

A part of the Committee on Educational Institutions recommended that House Bill No. 105 do pass with an amendment.

A part of the Committee on Educational Institutions recommended that House Bill No. 105 do not pass.

A part of the Committee on Educational Institutions reported House Bill No. 105 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 133:

The Committee on Judiciary recommended that Senate Bill No. 133 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 196:

The Committee on Judiciary recommended that Senate Bill No. 196 do pass. The report of the committee, together with the bill, was placed on general file.

House Bill No. 33:

The Committee on Elections and Privileges recommended that House Bill No. 33 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 205:

The Committee on Elections and Privileges recommended that Senate Bill No. 205 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 25, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate Bill No. 318, by Senator Roberts, entitled: "An Act abolishing constables in class A counties and in first class cities therein, and repealing section 1 of chapter 138 of the Laws of 1935 (section 7560-1 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 319, by Senator Reardon, entitled: "An Act relating to river improvement districts and repealing section 9629 to section 9650, inclusive, of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Flood Control.

Senate Bill No. 320, by Senator Reardon, entitled: "An Act relating to flood control in counties and amending sections 9625, 9626 and 9627 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Flood Control.

Senate Bill No. 321, by Senator Drumheller, entitled: "An Act relating to the public sale of oil, gas, metalliferous and non-metalliferous mining leases, providing for the regulation and supervision thereof, licensing of agents, filing of statutory statements, and prescribing penalties and fees therefor."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Mines and Mining.

Senate Bill No. 322, by Senator Holt, entitled: "An Act to create an association to be known as the 'Washington State Chiropractors' Association'; to provide for its organization, government, membership and powers; to regulate the practice of chiropractic and to provide penalties for the violation of said act, and repealing all acts or parts of acts in conflict therewith."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

Senate Bill No. 323, by Senator Wanamaker, entitled: "An Act providing for the distribution and expenditure of moneys received from forest reserves, and amending section 2, chapter 185, Laws of 1907 (section 4057 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 324, by Senator Murfin, entitled: "An Act relating to the creation of a legislative council, prescribing its powers and duties, and making an appropriation."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 325, by Senator Haddon, entitled: "An Act relating to public highways, establishing, designating and describing secondary state highways as branches of Primary State Highway No. 21, and amending section 18 of chapter 207 of the Laws of 1937 (section 6402-18 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 326, by Senator Haddon, entitled: "An Act regulating the installation and maintenance of plumbing, defining the powers and duties of the state board of health in relation to plumbing, defining plumbing and certain other terms, providing penalties, repealing conflicting acts and parts of acts, and declaring that this act shall take effect July 1, 1939."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 327, by Senator Maxwell, entitled: "An Act relating to chattel mortgages and conditional sales contracts; providing that the same shall also be filed with the director of licenses when they are on or pertain to personal property required to be registered and licensed thereby; defining the duties of the director of licenses in connection therewith; fixing fees therefor; and amending section 1 of chapter 96 of the Laws of 1915, section 2 of chapter 98 of the Laws of 1899, section 1 of chapter 133 of the Laws of 1937, section 10 of chapter 98 of the Laws of 1899 as amended by section 2 of chap-

ter 133 of the Laws of 1937, section 1988 of the Code of 1881, section 1 of chapter 196 of the Laws of 1937, and section 2 of chapter 129 of the Laws of 1933; and repealing all acts or parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 328, by Senators Duggan and Shorett, entitled: "An Act relating to the defense of tax suits, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 329, by Senators Kyle and Maxwell, entitled: "An Act relating to the practice of law, providing for a state board of law examiners, defining its powers and duties, providing for the licensing of attorneys and counselors at law and for the suspension or revocation of licenses, providing penalties, and repealing chapter 94, Laws of 1933 (section 138-1 to 138-17, both inclusive, of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 330, by Senator Thomas, entitled: "An Act relating to assessment of property, defining value, excluding growing crops and certain repairs to homes, and amending section 11135 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Thomas the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

House Bill No. 25, by Representative Hatley, entitled: "An Act relating to the relief of soldiers, sailors and marines of the disabled American veterans and their families; and making appropriation therefor; and declaring an emergency."

The bill was read the first time, and on motion of Senator Shorett the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

GENERAL FILE

Senate Bill No. 104:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 104, entitled: "An Act relating to writs of garnishment issued out of justice courts; providing the manner of service when directed to banks or banking associations maintaining branch offices; and amending section 6 of chapter 160 of the Session Laws of 1909, being section 1828 of Remington's Revised Statutes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: A. M. Murfin, Albert D. Rosellini, H. I. Kyle, Leroy L. Todd, Ralph Metcalf, F. L. Morgan, Judson W. Shorett.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 104, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Absent or not voting: Senator Haddon—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President signed Senate Bills Nos. 125 and 126, and Senate Joint Memorial No. 1.

Senate Bill No. 53:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate Bill No. 53, entitled: "An Act relating to certain lands and authorizing the sale thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. L. MORGAN, *Chairman.*

We concur in this report: Alfred E. Holt, Mary Farquharson, Harold P. Troy, Monty Percival, J. P. Keller.

On motion of Senator Morgan, the report of the committee was received and the bill was read the third time.

On motion of Senator Troy, the following amendment was adopted:

Amend the title of the bill by inserting after the word "sale" the words "or lease".

The Secretary called the roll on the final passage of Senate Bill No. 53, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Drumheller, Haddon, Maxwell, Moe, Murphy and Schroeder—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 194:

The Secretary read:

REPORT OF STANDING COMMITTEESenate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate Bill No. 194, entitled: "An Act relating to and prescribing purposes for which food fish may be taken, possessed and used; amending section 69 of chapter 31 of the Laws of 1915; defining offenses; providing penalties; and declaring that this act shall take effect March 31st, 1939," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. with the following amendments:

Amend section 1, subsection 69, line 11 of the original bill, the same being section 1, subsection 69, line 4 of the printed bill, by striking the words "or shellfish".

Amend section 1, subsection 69, line 16 of the original bill, the same being section 1, subsection 69, line 8 of the printed bill, by striking the words "or shellfish".

A. E. EDWARDS, *Chairman.*

We concur in this report: Harold P. Troy, Leroy L. Todd, Earl Maxwell, Joe L. Keeler, Keiron W. Reardon.

On motion of Senator Edwards, the report of the committee was received and the bill was read the third time.

On motion of Senator Troy, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 194, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Those voting nay were: Senator Maxwell—1.

Absent or not voting: Senators Haddon, Roup, Schroeder and Sieler—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 243:

The Secretary read:

REPORT OF STANDING COMMITTEESenate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Dairy and Livestock, to whom was referred Senate Bill No. 243, entitled: "An Act relating to fur bearing animals; declaring certain kinds thereof to be personal property; providing for identification thereof by branding with tattoo or other marks; and authorizing the recording of such marks," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LEROY L. TODD, *Chairman.*

We concur in this report: Chapin A. Mills, Joe L. Keeler, H. I. Kyle, J. M. Koontz, Monty Percival.

On motion of Senator Todd, the report of the committee was received and the bill was read the third time.

Senator McAulay moved the adoption of the following amendment:

Amend section 1, line 4 of the printed bill, insert after the comma following the word "property" in line 4 of the printed bill the words "while in captivity".

On motion of Senator Kyle, the amendment was laid on the table.

Senators Mills, Sieler, Keller and Orndorff demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 243, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—37.

Those voting nay were: Senators Henderson, McAulay and Sieler—3.

Absent or not voting: Senators Farquharson, Haddon, Klemgard, Moe, Roup and Wanamaker—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Reardon assumed the chair.

There being no objection, the Senate referred back to the fifth order of business.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 11, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 2; also

Engrossed House Bill No. 47; also

House Bill No. 64; also

Engrossed House Bill No. 70; also

Engrossed House Bill No. 71; also

Engrossed House Bill No. 100; also

Engrossed House Bill No. 101; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

At 12:22 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until Monday, February 13th, 1939, at 12:30 o'clock p. m.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRTY-SIXTH DAY

AFTERNOON SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Monday, February 13, 1939.

The Senate was called to order at 12:30 o'clock p. m., by President Meyers.

The Clerk called the roll and announced to the President that all Senators were present, except Senators Copeland, Dawson and Drumheller, who were excused.

Reverend Elmer B. Christie, of St. John's Episcopal Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Memorial No. 11, by Senators Roup and Copeland: "Relating to completion of the Lewis and Clark Highway."

The memorial was read the first time, and on motion of Senator Metcalf the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 11, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 53 and also Engrossed Senate Bill No. 194, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Robert T. McDonald, Paul G. Thomas, Joseph D. Roberts.

On motion of Senator Holt, the report of the committee was adopted.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Bill No. 258:

The Committee on Mines and Mining recommended that Senate Bill No. 258 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 31:

A part of the Committee on Judiciary recommended that Senate Bill No. 31 do pass with certain amendments.

A part of the Committee on Judiciary reported Senate Bill No. 31 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 183:

The Committee on Mines and Mining recommended that Senate Bill No. 183 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

INTRODUCTION OF BILLS

Senate Bill No. 331, by Senators Malstrom and Atkinson, entitled: "An Act creating a legislative reference and drafting bureau; establishing an advisory committee therefor; putting a director in charge thereof; defining its purpose, powers and duties; prohibiting certain acts on the part of its employees; making an appropriation for the support thereof; and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Malstrom the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Library.

Senate Bill No. 332, by Senator Farquharson, entitled: "An Act relating to the powers of boards of county commissioners to grant an option to purchase, contract to sell, lease or convey, or donate any real property owned by the county to the State of Washington, the United States of America, and declaring an emergency."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Counties and County Boundaries.

Senate Bill No. 333, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to the Washington state patrol; authorizing the chief of the Washington state patrol to relieve from active duty certain officers who have been injured or have become incapacitated during official service; directing a study of a retirement system for the Washington state patrol; providing that this act shall be effective until March 31, 1941, and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Reardon, the usual number of copies of Senate Bill No. 333 were ordered printed.

Senate Bill No. 334, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to the administrative expense of the state industrial insurance and safety acts; requiring appropriations therefor from the industrial insurance fund; declaring an emergency and making this act effective April 1, 1939."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Industrial Insurance.

On motion of Senator Reardon, the usual number of copies of Senate Bill No. 334 were ordered printed.

Senate Bill No. 335, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to education; defining terms; providing for county committees and a state commission for the reorganization of school districts; defining the powers and duties of county committees and the state commission; providing for appeals; prescribing duties of county and state officers; providing for boards of school directors in reorganized school districts; making certain statutes temporarily inoperative; providing for the classification of reorganized school districts; making an appropriation and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

On motion of Senator Reardon, the usual number of copies of Senate Bill No. 335 were ordered printed.

Senate Bill No. 336, by Senator Schroeder, entitled: "An Act relating to agriculture, creating the agricultural prorate commission and providing the powers and duties thereof, providing for the institution and maintenance of proration programs for agricultural crops, prescribing penalties, creating the agricultural prorate commission fund, and making appropriations."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Agriculture.

Senate Bill No. 337, by Senator Klemgard, entitled: "An Act relating to public highways; providing for secondary state highways as branches of Primary State Highway No. 3; providing for an entrance to the state college of Washington; amending section 4 of chapter 207 of the Session Laws of 1937; and declaring an emergency."

The bill was read the first time, and on motion of Senator Klemgard the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 338, by Senators Lovejoy and Klemgard, entitled: "An Act providing for the establishment and maintenance of a police communication system in the State of Washington under the supervision and direction of the Washington state patrol and the chief thereof, creating an advisory board, making an appropriation, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 339, by Senator Maxwell, entitled: "An Act relating to, providing for and authorizing and regulating thoroughbred and/or standard bred dog racing; creating the Washington dog racing commission; defining its powers and duties, and fixing compensation thereof; prescribing the manner in which race meets may be conducted; prohibiting pool-selling, book-making, and circulation of hand-books; authorizing the pari-mutuel system; providing for issuance of licenses and fees to be charged; earmarking the revenue for old age assistance; fixing the penalties for violation of the act; and providing that the act shall take effect immediately."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 340, by Senator Holt, entitled: "An Act relating to taxation; creating a board of tax appeals in Class A and first-class counties; defining the powers and duties of said board of certain elective officers in connection therewith; providing for appeals from decisions of said board; and repealing all conflicting acts."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 341, by Senator Edwards, entitled: "An Act relating to public utility districts; prescribing the procedure for the acquisition by such districts of certain public utilities owned by cities or towns; providing for certain exclusions; providing for withdrawals from such districts; and amending sections 6 and 12 of chapter 1 of the Laws of 1931."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

Senate Bill No. 342, by Senator McAulay, entitled: "An Act relating to banks and banking, providing for deposits made payable to the names of the depositor and another person and the disposition thereof, prescribing certain rules of evidence, defining terms, and repealing section 42 of chapter 80 of the Laws of 1917 (section 3249 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Banks and Banking.

Senate Bill No. 343, by Committee on Agriculture, entitled: "An Act declaring the policy of the legislature with regard to conserving soil resources and preventing and controlling soil erosion; establishing the state soil conservation committee and defining its powers and duties; providing for the creation of governmental subdivisions within the state to be known as soil conservation districts; providing for the discontinuance of such soil conservation districts; defining the powers and duties of soil conservation districts and providing for the exercise of such powers, including the power to acquire property by purchase, gift and otherwise; empowering such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and empowering such districts to adopt programs and regulations for the carrying out of soil-conserving land-use practices, and providing for the enforcement of such programs and regulations; providing for the establishment of boards of adjustment in connection with land-use regulations and defining their functions and powers; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator McMillan the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Engrossed House Bill No. 2, by Representative Olson, entitled: "An Act relating to and prescribing the powers and duties of boards of directors for

public schools, providing for education of physically handicapped adults, providing funds therefor and amending section 4776, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

Engrossed House Bill No. 47, by Representative Kinnear (George C.), entitled: "An Act relating to guardians, executors, administrators and trustees, providing for a reduction or substitution of their bonds, in certain cases, for control of funds in their hands, for safekeeping of assets, for notice of citations in case of default, and amending chapter 156 of the Laws of 1917 and chapter 104 of the Laws of 1925."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 64, by Representative Hay, entitled: "An Act relating to the use of state, county or municipal property and providing a penalty therefor."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 70, by Representative Rosellini, entitled: "An Act relating to collection agencies and providing for a bond for the operation thereof, and prescribing the duties of the prosecuting attorney with relation thereto, and amending section 2 and section 5, chapter 90, Laws of 1929."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 71, by Representative Rosellini, entitled: "An Act relating to birth certificates and adding certain sections to the statutes relating to vital statistics established by chapter XCVIII of the Laws of 1891, (being Remington's Revised Statutes, sections 6011 and 6039 inclusive)."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 100, by Representative Sherman, entitled: "An Act relating to the compensation and medical, surgical, and hospital care and treatment and the welfare and safety of workmen engaged in extrahazardous employments and to the compensation of the dependents of such workmen in case of death and to the liability of the employers of workmen so engaged for such compensation and the cost of such care and treatment; providing for a compensation for disabilities sustained or death incurred by employees resulting from certain occupational diseases; amending section 1, chapter 212, Laws of 1937 (section 7679-1, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Kerstetter the rules were suspended, the bill was read the second time by title, and referred to the Committee on Industrial Insurance.

Engrossed House Bill No. 101, by Representative Hatley, entitled: "An Act relating to schools and declaring November 11 to be a school holiday; provid-

ing for the suitable observance thereof in the schools of the state; amending section 4899 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

GENERAL FILE

Senate Bill No. 33:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 33, entitled: "An Act relating to Justices of the Peace in certain incorporated cities, amending section 3, of chapter 68, of the Laws of 1888," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, lines 19 and 20 of the original bill, the same being section 1, lines 10 and 11, of the printed bill, by striking the words "only one justice of the peace and no more." and inserting in lieu thereof the following: "not more than two justices of the peace."

FRED S. DUGGAN, *Chairman.*

We concur in this report: A. M. Murfin, Albert D. Rosellini, Ralph Metcalf, Judson W. Shorett, Harold P. Troy, H. I. Kyle, F. L. Morgan, Leroy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was declared read the third time.

On motion of Senator Duggan, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 33, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Absent or not voting: Senators Copeland, Dawson, Drumheller, Ferryman, Keller, Murphy, Reardon and Stinson—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 34:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 34, entitled: "An Act relating to police courts in cities of the second class and cities with a commission form of government, amending section 8 of chapter 103 of the Laws of 1913, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the title by striking the comma (,) following "1913" and by striking the words "and declaring an emergency".

Amend section 1, line 15 of the original bill, the same being section 1, line 7 of the printed bill, by inserting between the words "cities" and "operating" the following: "with not more than five thousand inhabitants".

Amend section 2, by striking the whole thereof. FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Albert E. Rosellini, Ralph Metcalf, Judson W. Shorett, Harold P. Troy, H. I. Kyle, F. L. Morgan, Leroy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senator Duggan moved the adoption of the committee amendments.

Senator Sieler moved the adoption of the following amendment to the committee amendment to section 1:

Amend the committee amendment by adding after the word "inhabitants," the following: "other than county seats,".

The motion by Senator Sieler carried.

On motion of Senator Duggan, the committee amendments, as amended, were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 34, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Those voting nay were: Senator Bloomer—1.

Absent or not voting: Senators Copeland, Dawson, Drumheller, Keller, Murphy and Stinson—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 1:15 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 1:55 o'clock p. m.

The Senate reconvened at 1:55 o'clock p. m.

At 1:59 o'clock p. m., the President announced that the Senate would retire to the House Chamber to meet with the House in Joint Session for Memorial Services for former members of the Legislature.

JOINT SESSION

The Sergeant-at-Arms announced the arrival of the Senate at the bar of the House.

The Speaker invited the Senators to seats within the bar of the House, and invited the President to a seat beside the Speaker.

The President of the Senate called the Joint Session to order at 2:00 o'clock p. m.

The Clerk of the House called the roll of the House, all members being present.

The Secretary of the Senate called the roll of the Senate, all Senators being present.

The President:

"Members of the Legislature, Ladies and Gentlemen: This Joint Session has been called for the purpose of honoring former members of the House and Senate who have passed on to their reward. We are meeting here today as a mark of respect to their memory."

Reverend Elmer Christie, Rector of St. John's Episcopal Church, of Olympia, invoked the Divine blessing.

The following program was given:

MEMORIAL SERVICES

February 13, 1939—2:00 P. M.

JOINT SESSION IN HOUSE CHAMBER

LIEUTENANT GOVERNOR VICTOR A. MEYERS, *Presiding*

Invocation and Address.....REVEREND ELMER CHRISTIE,
Rector, St. John's Episcopal Church, Olympia
Vocal Solo, "No Night There".....MRS. ELMER JONES
Address.....WALTER J. BEALS, *Justice, Supreme Court*
Vocal Solo, "Bois Epais" ("Sombre Woods").....VERNON D. PATTERSON

IN MEMORIAM

<i>Eulogies</i>	<i>County</i>	<i>Tribute By</i>
Senator J. D. Bassett.....	Adams.....	Senator Alfred E. Holt
Senator Ed Brown.....	Whatcom.....	Senator A. E. Edwards
Senator Harry H. Brown.....	Pierce.....	Senator Kathryn Malstrom
Senator Chas. L. Colburn.....	Skamania and Klickitat.....	Senator Charles F. Stinson
Senator W. W. Conner.....	King.....	Speaker, John N. Sylvester
Senator Louis A. Conyard.....	Stevens and Pend Oreille.....	Senator David E. McMillan
Senator Robert Grass.....	King.....	Senator Joseph D. Roberts
Senator Hugh Herren.....	Pierce.....	Senator Ted Schroeder
Senator Jesse Huxtable.....	Spokane.....	Senator W. R. Orndorff
Senator John Willis Kleeb.....	Pacific and Wahkiakum.....	Senator T. C. Bloomer
Lieutenant-Governor Henry McBride.....	Skagit.....	Senator Leroy L. Todd
Senator P. Frank Morrow.....	King.....	Senator Robert T. McDonald
Senator James A. Murphy.....	King.....	Senator George A. Lovejoy
Senator Harold Preston.....	King.....	Senator Judson W. Shorett
Senator Harry Rosenhaupt.....	Spokane.....	Senator Fred S. Duggan
Senator Joseph St. Peter.....	Snohomish.....	Senator Pearl A. Wanamaker
Senator Dan A. Scott.....	Adams.....	Representative David Phillips
Senator George Henry Tucker.....	Lewis.....	Senator Herbert H. Sieler
Vocal Solo, "Crossing the Bar".....		MRS. ELMER JONES
Representative W. T. Beck.....	Ferry.....	Representative Carl Devenish
Representative Thomas H. Bell.....	Pacific.....	Representative Clyde Tisdale
Representative H. C. Bohlke.....	King.....	Representative L. D. Judd
Representative Jean Bradford.....	Snohomish.....	Representative Chart Pitt
Representative F. L. Calkins.....	Kittitas.....	Representative Alfred Hanson
Representative Charles L. Chamberlin.....	Whitman.....	Representative William L. LaFollette
Representative George H. Collin.....	Spokane.....	Representative Edward F. Riley
Representative B. J. Davis.....	Kitsap.....	Representative Richard Cook
Representative Charles H. Ennis.....	King.....	Representative George Kinnear
Representative Linea L. Edlund.....	King.....	Representative Sixten Nordenberg
Representative E. W. Fawley.....	Douglas.....	Representative John R. Jones
Representative W. D. Lane.....	King.....	Representative H. D. Hall
Representative L. L. Lent.....	Kitsap.....	Representative Cecil Callison
Representative Joseph D. Lindsley.....	Spokane.....	Representative Joseph Hurley

<i>Eulogies</i>	<i>County</i>	<i>Tribute By</i>
Representative Phil S. Locke.....	Grays Harbor.....	Representative John Pearsall
Representative R. H. Hutchinson.....	Whitman.....	Representative Fred Miller
Representative Edward J. Marble.....	Yakima.....	Representative Oscar Schumann
Representative L. D. McArdle.....	Jefferson.....	Representative Charles R. Savage
Representative Albert M. Stevens.....	Spokane.....	Representative Donald Miller
Representative A. J. Nickel.....	Okanogan.....	Representative Robert M. French
Representative Alph R. Stratton.....	Spokane.....	Representative Will Wentworth
Representative A. C. Sly.....	Skamania.....	Representative Mark Moulton
Vocal Solo, "The Trumpeter".....		VERNON D. PATTERSON

JOINT COMMITTEE ON MEMORIALS

SENATE

RALPH METCALF, *Chairman*
 N. P. ATKINSON
 J. GORDON KLEMGARD

HOUSE

E. E. HENRY, *Chairman*
 CHAS. C. FINUCANE
 D. W. JONES
 M. B. SMITH
 W. W. WENTWORTH

Senator Alfred E. Holt delivered the following eulogy on the life of former Senator J. D. Bassett:

It is a privilege to have this opportunity to pay tribute to the memory of one of the great pioneers of the Inland Empire and the State of Washington.

Mr. Bassett was a member of the House of Representatives in 1905-07 from Adams County, and a member of the Senate from Adams, Franklin and Walla Walla Counties in 1909-11. He was again a member of the House from Spokane County in 1919-20-21 and 23.

Mr. Bassett was born at Central Village, Conn., on January 6, 1858. His father was a Congregational minister and a graduate of Yale University.

J. D. Bassett was also a graduate of Yale and a member of the Connecticut Legislature in 1887. He came to Washington in 1899, locating at Ritzville. He engaged in the banking business at various points in Eastern Washington, having organized twelve banks of which he was President. In 1909 he moved to Spokane, where he organized the Connecticut Investment Co. For the last seventeen years he was State Examiner of the Division of Municipal Corporations.

Always active in community affairs, he was Chairman of the Spokane Charities Commission, a faithful member of the Congregational Church, a kindly, scholarly gentleman beloved and honored by a host of friends. J. D. Bassett died on September 14, 1937, at the age of 79 years.

He was married to Julia C. Sheldon, of Norfolk, Conn., who died in 1895. His second marriage was to Alice W. Case, of Norfolk, Conn., in 1897, who died in 1935.

He is survived by three children: Joseph E. Bassett, Okanogan, Wash., Mrs. Harold W. Crawford, of Walla Walla, Wash., and Miss Emma Bassett, of Spokane, Wash.

Members of the House and Senate, you may well be proud of this pioneer member who served his State with such honor and devotion.

Senator A. E. Edwards delivered the following eulogy on the life of former Senator Ed Brown:

Senator Ed Brown, of the 41st District, was born on a farm in a province of Ontario, Canada, on January 10, 1857. He came to the United States in 1865, settling in Iowa. Later he moved to Nebraska, and then to Washington in 1877. He settled at LaConner, where he worked until the next spring, at which time he moved to Ferndale by boat. He took up a homestead, and in 1884 married Miss Matilda Lopas.

He cut the lumber for their first home with a whip saw, and hauled it with oxen and a sled. He took a great interest in all community activities, being instrumental in founding the town of Custer. He donated a section of his homestead for churches, a school site, and a right-of-way to the Great Northern Railway Co. He was always a staunch Republican and a leader of his party for years in Whatcom County. In 1898 he was elected to the House of Representatives and served two terms. He was then elected in 1908 to the Senate, where he served three terms.

He was one of the leading legislators responsible for establishing the Bellingham Normal School, and was always a fighter for education. He was interested in good

roads and was active in procuring the famous scenic Chuckanut Drive on Highway 99 in Whatcom and Skagit Counties. From an honest and sincere conviction he was an ardent worker for prohibition, and was known by his colleagues as a total abstainer.

He was the first president of the Farmers' Mutual Telephone Company in Whatcom County. In 1920 he was elected to the Board of County Commissioners, where he served for two terms. He was also an active worker in the Whatcom County Dairymen's Association.

Senator Brown passed away May 25, 1937, at the age of 80 years, as the result of an accident while breaking in a team of colts. He left to survive him his wife, two sons—Herbert and Earl, and three daughters—Mrs. Clyde Creek, Mrs. Jared Davis and Mrs. Alfred L. Mercy. His passing left a host of friends to mourn him as an able statesman, as well as a loyal friend.

Senator Kathryn Malstrom delivered the following eulogy on the life of former Senator Harry H. Brown:

I feel honored today to have the privilege of saying a few words of tribute for Harry Herbert Brown, who served during the 25th session of our State Legislature from the 27th District. Senator Brown was the victim of a runaway automobile on November 6, 1937. He died twenty-four hours later without recovering consciousness.

Senator Brown was intensely interested in legislation, and while he served in the capacity of a state legislator, he devoted much time to the study of law making and to the promotion of the propositions in which he believed. In support of his attitude for the promotion of good government, he served as a member of the House of Representatives for three consecutive sessions, and his death occurred after his first session of the State Senate.

Senator Brown was born in Kentucky in 1879. His father died when he was a child of five years. He was one of five children, all under six years of age, left with the widowed mother. The following years presented a problem because, while there was a home, the mother had no source of income.

When Harry was fifteen, he moved with his mother and the other children to a farm in Kansas. There they engaged in farming for four years. The owner had left in this farm house, leased to the Brown family, a library of good books. Harry worked hard as a growing boy, but still managed to devote considerable time to studying the books in this library and other books available to him. He loved music and poetry, memorized the first four books of "Paradise Lost". He made a deep study of ancient history and Roman and Greek mythology.

When he was a youth of eighteen, the family came to Tacoma. Here he called himself at home the greater part of his life. He became a free-lance newspaper correspondent. Senator Brown never married. A surviving brother, Mr. Browder Brown, now serves as Assistant Attorney General of this state.

Harry Herbert Brown was deeply religious and gave much time to the study of the Bible, and was a constant attendant at the church of his choice. Now we pray that his reward for service here may be fully commensurate with his devotion and efforts in this material world.

He passed to his reward November 7, 1937.

Senator Charles F. Stinson delivered the following eulogy on the life of former Senator Charles L. Colburn:

The late ex-Senator Charles L. Colburn, who passed away on January 7 last, was one of our best citizens, always useful in the community and a kind and loving husband.

He was born in Andrew County, Missouri, March 1, 1857, graduated from business college, and taught school for many years.

In 1881, he married Miss Lydia Anderson, moved to Oregon in 1899, and later moved to White Salmon, Washington. He was County Superintendent of Schools of Klickitat County and served as president of the State Bank in White Salmon for six years.

He was elected Senator of Klickitat and Skamania Counties in 1926, serving for four years. He was one of the prominent Grange workers of our state. No man in that community was held in higher esteem than Senator Colburn.

Mr. John N. Sylvester, Speaker of the House, delivered the following eulogy on the life of former Senator W. W. Conner:

No figure in the legislative history of the State of Washington holds a more distinct and respected position than does the late William Wallace Conner. "Bill", as he was known to his friends, is as well remembered for his acts of human kindness as he is for the high positions he occupied in state and civic affairs.

Bill came from true pioneer stock, his family being early settlers in this State. The town of La Conner was named for his mother. Bill Conner served four terms in the House,—1911, 1913, 1915 and 1919. During the 1915 Session he presided as Speaker. As a legislator, his activities were not confined to the House alone as he continued on as a leader in the Senate, serving two terms in that body. Evidence of his integrity and ability is well displayed by the fact that he was elected to serve not only his home county of Skagit, but in 1916 he moved to Seattle and continued as a Senator from King County.

Bill had perhaps the fullest life of any man in the memory of our State. He was active in club and civic affairs and was recognized as one of our most prominent Catholic laymen. As Grand Knight of the Seattle Council of the Knights of Columbus, he gave unhesitatingly of his time. His love for aviation took much of his time and energy. For several years he was Chairman of the Seattle Chamber of Commerce Aviation Committee and was Past District Governor of the National Aeronautic Association.

Recently, at the Seattle Airport, a bronze tablet was erected in his memory. Such honor has been accorded only one other individual, he being the lovable humorist, the late Will Rogers, who was an intimate friend of Bill Conner.

It was my personal privilege to be a close friend of Bill's; in fact, he was my first client when I entered the practice of law. I would like to read a few words of advice which he gave me and which appear in this manual above his signature. "May I say, never speak in the House unless you have something to say." These words are typical of his sound advice.

Bill, I'm speaking now and saying that thousands miss you and your friendly counsel. Your widow, Martha, and your sister and brother are here today to join the many others who are paying tribute to you.

Bill Conner, one of God's noblemen, will be always remembered as one of Washington's most capable and beloved citizens.

Senator David E. McMillan delivered the following eulogy on the life of former Senator Louis A. Conyard:

Shortly after the convening of the twenty-sixth session of the Legislature we received the sad news of the tragic death of Louis A. Conyard, who represented Stevens and Pend Oreille Counties in the Senate in 1925.

At the time of his death Mr. Conyard was Assistant Corporation Counsel of the city of Spokane, and accompanied by Mr. Butler was on his way to Olympia on official business when he met a tragic end in an automobile crash. To a host of friends his sudden passing was a real shock, taken as he was in the prime of life, and in the midst of an active and successful career. He was possessed with a charming personality which made and held many friends.

At the time of his passing Mr. Conyard was forty-six years of age. He is survived by his father; a brother, Joe Conyard, Portland; two sisters, Mrs. Mary Cavanaugh and Mrs. T. F. Meeds, both of Spokane; Mrs. Winnifred Walters, of Whitefish, Montana; besides his widow and three children, Louis Jr., Teresa and Patricia.

Mr. Conyard had World War service from December 17, 1917, to July 27, 1919, as a member of the 91st Division Artillery in the First Army Corps. He was a member of the American Legion, the Athletic Round Table, and the Spokane Bar Association.

He was a graduate of Gonzaga Law School and was for a time assistant city clerk. He later moved to Chewelah, Washington, where he engaged in the practice of law, and was elected Mayor of the town of Chewelah. In 1925 he was elected to complete the unexpired term of W. Lon Johnson in the State Senate, who was elected Lieutenant-Governor at the time. Upon the expiration of this term he moved with his family to Spokane, where he engaged in the practice of law and later became Assistant Corporation Counsel.

Senator Joseph D. Roberts delivered the following eulogy on the life of former Senator Robert Grass:

Robert Grass was born in Council Bluffs, Iowa, on January 4, 1883. In 1904 he entered Stanford University and later he graduated with a degree of Bachelor of Arts from the University of Washington.

In 1907 he took up the practice of law in Seattle. Recognition of his ability led to his appointment as Deputy Prosecutor under Kenneth McIntosh, in 1908.

Mr. Grass was elected Representative in the State Legislature in 1913, in which post he served continuously for five terms. In 1922 he was elected State Senator in the 35th District, which I have the privilege of representing at the present time. Senator Grass carefully studied the questions which came up for settlement, and he championed many measures which have found their way to the statute books. These laws are proving of value to the commonwealth. He was a steadfast and energetic worker for sensible improvement, economical administration of state affairs, and practical progress.

His colleagues looked to him to keep things moving because of his familiarity with parliamentary procedure. He filled a large number of important assignments. The thoroughness of his knowledge of any subject in which he took an interest was one of his marked characteristics. He was always loyal to any trust placed in him.

On December 19, 1935, he was married to Grace Tschudin, and three children were born to this union: Diana, Robert and Ava. I called upon them in their home last evening and found them to be charming and hospitable.

Senator Grass was a member of Delta Tau Delta; and the well-known Seattle attorney, John J. Sullivan, who was Senator Grass' fraternity brother and my brother officer in the Military Intelligence Reserve of the United States Army, recently had the following to say about his friend:

"Senator Bob Grass was a man who loved his fellow men. He left little material wealth behind him, but in his good deeds, acts of constructive legislation, and in his service in behalf of the State of Washington, he left a monument that will endure forever."

Senator Robert Grass passed away in his office in the Smith Tower, in Seattle, on October 24, 1938.

Senator Ted Schroeder delivered the following eulogy on the life of former Senator Hugh Herren:

It is a privilege to say a few words in memory of Senator Hugh Herren, my former friend and neighbor. Mr. Herren served three sessions in the House of Representatives and was in the Senate during the 1937 session.

He was sixty-seven years of age when he died in the Tacoma Hospital after a long illness. He came to Puyallup from North Carolina in 1900 and engaged in hop farming in the Puyallup Valley. He became one of the largest growers in the valley.

He was past Grand Sachem of the Improved Order of Redmen.

Mr. Herren is survived by his widow, three sons and three daughters.

He was well known as a liberal and could always be found in the thick of the fight for the under-privileged. He carried on this fight at great sacrifice to his health and business. Senator Herren will always be remembered as a friend of the people.

Senator W. R. Orndorff delivered the following eulogy on the life of former Senator Jesse Huxtable:

Jesse Huxtable was born in Devonshire, England, December 4, 1863. He was employed by the Northern Pacific Railway July 17, 1889, and served as a member of the State Legislature from 1905 to 1913; served the first four years in the House and the next four in the Senate. He was a staunch Republican and sincerely believed in all the principles of their platform. He retired from service with the Northern Pacific Railway December 31, 1933. He was President of the Northern Pacific Veteran's Association.

While crossing the street near his home, on September 24, 1937, he was struck by an automobile and died three days later as a result of this accident.

His long service of forty-five years with the company by which he was employed, his standing with the organizations with which he was identified, and the exemplary life he led as a citizen should encourage others to imitate his virtues and do their part in promoting the cause of good citizenship.

His widow still resides in the family home in the city of Spokane and carries on the charitable work to which for many years they had devoted their energies and their means.

Senator T. C. Bloomer delivered the following eulogy on the life of former Senator John Willis Kleeb:

John Willis Kleeb passed away Saturday, May 29, 1937, in a Tacoma hospital. He served in the Washington State Senate in the Sessions of 1915 and 1917. A native of Fayette, Iowa, where he was born January 2, 1859, Senator Kleeb came west to Tacoma, Washington, during early manhood, moving in 1897 to South Bend, Washington.

He is survived by his wife, Henrietta Tousley Kleeb, whom he married in Tacoma in 1912; a son, Milton; and a daughter, Mrs. Agnes Showman, of Tacoma; and four sisters.

Senator Kleeb became a Senator at great personal sacrifice. He was one of the pioneers in the lumber business on Willapa Harbor, and a very busy man, but he answered the call for public service and contributed much to the welfare of the State of Washington. He was independent in thought and action.

Senator Leroy L. Todd delivered the following eulogy on the life of former Governor (and Lieutenant-Governor) Henry McBride:

Henry McBride was born in Farmington, Utah, February 27th, 1856, where he received his early education, attending the high school at Logan in that state. He attended Trinity College at Hartford, Connecticut; later finishing his education at Hobart College, New York.

He came to the State of Washington in 1882, settling at Oak Harbor, Island County, where he taught school. Later, he moved to LaConner, in Skagit County, where he continued to teach school, at the same time studying law; being admitted to the Bar in this state in 1884. He was married in the same year.

In 1888, he was elected prosecuting attorney for the district that comprised what is now Whatcom and Skagit Counties. In 1891, the State Legislature created a new judgeship comprising Skagit and Island Counties and Mr. McBride was appointed the Superior Court Judge. He was re-elected Judge in 1892.

Mr. McBride was a Republican, in which party he remained an active member until the time of his death. He was elected Lieutenant-Governor of this state in 1900, and the following year became its chief executive because of the death of John R. Rogers, who was governor at that time. After serving in this capacity and being engaged in several different activities, he formed a law partnership with attorneys in Seattle, engaging in the practice of law for a number of years.

After over fifty years of active public life, he retired to a suburban home near Seattle where he spent his last years in leisure. He passed away in October, 1937; leaving surviving him a brother in Utah and a niece in Seattle; his wife having preceded him in death twelve years ago.

Senator Robert T. McDonald delivered the following eulogy on the life of former Senator P. Frank Morrow:

The sad duty now devolves upon me to say a word in memory of my predecessor in the Senate.

At the end of a long life, P. Frank Morrow, on the 8th day of December, 1937, passed over into that "undiscovered country from whose bourne no traveler has ever returned." He is now beyond the hearing of the bitter voice of envy, or the soothing tongue of flattery.

Born in the old State of New York, many years ago he cast his fortunes with our State. He was thrifty and industrious and accumulated a comfortable share of this world's goods. He left surviving him three sons: John, Don, and W. J. Morrow; and three daughters, Mrs. Frank Brunt and Mrs. Leona Woodcock, all of Seattle; and Miss Veida Morrow, a lawyer, now connected with the staff of the Department of Justice at Washington, D. C.

It will not be my purpose to utter a fulsome eulogy of Senator Morrow. He himself would be the last to wish it.

The people of my district twice elected him to the State Senate, and he died during the service of his second term.

He early became convinced of the correctness of the philosophy of Henry George, and was a most able and eloquent exponent of the single tax theory. He was a courageous man and refused to be turned aside from his principles and convictions, either by expediency or popular clamor.

He died as he lived—bravely. The river of his life has reached the eternal sea; and now that the fever and troubles of his life are over and his work is done, and he has reached his earthly journey's end—in the words of the ancient prayer, "May the Lord of Mercy grant to him a safe lodging and a holy rest, and peace at the last."

Senator George A. Lovejoy delivered the following eulogy on the life of former Senator James A. Murphy:

It seems futile to undertake, by the mere use of words, to convey to the minds of those who did not know him well, a full consciousness of his profound impress upon the politics and policies of his time.

His political career commenced at a time and in a place where the puritanical and rugged standards of honesty and morality still prevailed in both private and public life; extended down through the years when public office seemed to become but a license to violate the confidence imposed by a trusting electorate; and, finally, into the years when again the people's conscience seemed slowly awakening to the stalwart Grover Cleveland's slogan and personal holding that "Public office is a public trust."

I speak of that friend of ours who passed to his thrice-earned reward last May 14th, 1938, at the age of nearly eighty-one.

Senator James A. Murphy was born in Boston, Massachusetts, on the 10th day of November, 1857. His father was a contractor, who always opposed his son's entrance into politics, hoping he would prepare himself to enter the legal profession.

However, his interest and activity resulted in his election in 1881, at the age of twenty-four, to the Common Council of Boston, and after reelection to that office for an additional two years, he was then elected and served four years on that city's Board of Aldermen.

Senator Murphy's uncompromising opposition to the wrongs he saw and his untiring efforts on behalf of those oppressed, earned for him the early title of "Fightin' Jim," which later became the well-known "Tiger Jim;" which title belied his widely known qualities of kindness, sympathy, generosity and unselfishness.

"Jim," as all his friends and co-workers knew and called him, was an able organizer, and never tired of serving those about him and his party, which claimed from him an interest and loyalty second only to that accorded his Church.

Seattle became his adopted home in 1898, where he remained until the time of his passing. In 1927 he was one of the founders of the Young Men's Democratic Club of Seattle; was more than once a delegate from his state to national conventions; was made the County Chairman for his party in July, 1936.

In 1933 Senator Murphy was appointed to the Senate to complete an unexpired term; he served in the extraordinary session of that year, and in 1934 was elected and served his district in the sessions of 1935 and 1937.

On November 10, 1937,—his eightieth birthday,—Senator Murphy was the recipient of perhaps the most remarkable tribute ever accorded a man serving only in the "ranks," as he had always chosen to serve. Hundreds of his friends gathered to do him honor at a testimonial banquet where eulogy was heard—by telegram from those who could not attend and by heartfelt personal message from the many who were present.

During all of his more than half a century of continuous service to his fellow-man, by striving for cleaner politics, higher ideals in public office and better men to fill those offices, he labored without thought of personal reward.

Many men have had their urge to serve, as a matter of civic pride or duty and without hope of personal gain, but a few years at most would suffice to discharge the obligation; not so with "Tiger Jim;" he served—as he always served—to the very last.

Senator Judson W. Shorett delivered the following eulogy on the life of former Senator Harold Preston:

It is a privilege to be permitted to speak a word on this occasion about the character and ability and the distinguished public services of the late Senator Harold Preston.

There are perhaps few of our citizens who equal, and certainly none who were superior to him in respect to making a generous and effective contribution of his talents in behalf of the state, of which he was a distinguished citizen.

Mr. Preston came to the territory of Washington in 1883 as a young man, only twenty-five years of age. It seems particularly fortunate that throughout the early formative years of our history both as a territory and as a state, we should have been favored with such an active public-minded and able citizen of public affairs.

Time will permit only a brief reference to his many public and professional activities.

He was admitted to practice law in 1883 immediately after his arrival from the state of Iowa, and continued in the active practice of his profession until within a few days of his death, which occurred on New Year's Day, 1938.

From 1897 to 1901 he was an active member of this body as one of the Senators from King County. During his term he was a pioneer in vigorously advocating the enactment of the railway commission statute granting authority to regulate and control in the public interest the practices of the railway transportation companies. Like many another leader of progressive reform he had the satisfaction of living to see what was then looked upon as an innovation become an established law throughout the nation.

It was in recognition of his abilities in respect to public affairs that he was urged to become and was a candidate for the United States Senate before the State Legislature of 1903, and while he was not the successful candidate, yet all will agree that if chosen he would have been a most able and conscientious representative of our state in the Senate of the United States.

Again in 1905 he was drafted into public service in the city of Seattle by being elected as a member of the Freeholders Charter Commission, the members of which promptly elected him as their chairman. The charter which this body drafted was afterwards adopted by the citizens of Seattle, and it continues to this day, with some amendments, as the constitution of the city of Seattle.

One of the outstanding contributions and achievements which Mr. Preston rendered was the drafting of the Workmen's Compensation Act of 1911. When we consider that this was a pioneer undertaking in this country and a radical departure in respect to allowing compensation to injured workmen, it is impossible adequately to measure the tremendous amount of research, investigation and talent which were required to be expended in the preparation of this monumental piece of economic legislation. All of this was done by him voluntarily upon his own initiative, and without thought or hope of any personal financial reward. In fact this undertaking meant a very substantial sacrifice of his time and money. It is interesting to note in this connection that in spite of the pioneer quality of the undertaking the statute thus drafted did stand all attacks against its constitutionality both in the Supreme Court of this state and in the Supreme Court of the United States. Since that time most, if not all, of the states of the Union have adopted in substance the economic theory which was thus first drafted into the statute law of our state.

In 1912 he was tendered an appointment to the Supreme Court of the State of Washington, a fitting recognition of his splendid qualifications. This appointment, however, he declined, although continuing his interest in all public affairs.

During the World War, the governor of the state selected Mr. Preston as chairman of the King County Council of Defense, with full authority to select his own associates. In this position he rendered valuable service to his community throughout the period of the war.

If we turn for a moment to his more immediate professional activities, we find that his professional associates gave full recognition to his unusual qualities. While still a comparatively young lawyer, he was made President of the State Bar Association, and in later years was also elected President of the Seattle Bar Association. The Judges of our courts were likewise mindful of his character and soundness of judgment, as evidenced by his appointment by the Federal Court to the position of Master in Chancery for the purpose of hearing all of the evidence in the litigation between the United States and a shipbuilding corporation, which litigation involved millions of dollars and extended over a period of many years, before finally terminated.

Such in brief is the bare fact record of an illustrious citizen. But admittedly no such recital of achievements, however great, can furnish a true or complete picture. Such would require a presentation of the personal qualities of the man.

To those who had the privilege of knowing him intimately, perhaps the most outstanding of his characteristics were his kindness of spirit and his tolerance in his judgment of others. He was intolerant only against injustice or wrong-doing. Doubtless no man ever heard him give expression to a selfish desire or purpose, and certainly he was never known to commit a selfish act or deed.

It is particularly fitting, therefore, that we lay aside for the time being our immediate public and private cares, pressing though they be. In fact, no duty and no obligation is more vital or more imperative than a constant recognition of the fact that the very existence of our institutions of government and society must depend upon the very character and contributions of our citizens. It is still true, as said of old, "When the people have no vision, the nations perish."

The President:

"Senator Metcalf, the Dean of the Senate, has talked to me much of Harold Preston. Perhaps he will say something."

Senator Ralph Metcalf:

"I feel impelled to add a word to my friend, Senator Shorett's, tribute to Harold Preston. I have attended every session of the Legislature since statehood, except the first. During all those years I have always looked up to Harold Preston as perhaps the most able, sincere, valuable and valued Senator the state has ever had. We had the same views on political and governmental principles and policies in days when such views, which of late have been called "liberal", had scant support. We were not only political associates, but I knew him well, personally and socially. I feel compelled to pay this brief tribute to the memory of Harold Preston."

Senator Fred S. Duggan delivered the following eulogy on the life of former Senator Harry Rosenhaupt:

Harry Rosenhaupt was a member of the Legislature from Spokane. He served through six sessions of the Legislature, two in the House and four in the Senate. In doing honor to his memory in these times one thought occurs to me, and it is this: That we are a Christian nation; that one of the fundamental principles taught by the Founder of Christianity was "Love one another"; that throughout the world today this has been very frequently changed to the doctrine of hatred, and nations claiming to be Christian have reversed the doctrine of Christ; that this doctrine of hatred has but one inevitable result, and that is, war. So it is eminently fitting for us in the halls of the Legislature assembled, that we still revere the doctrine of neighborly love to do honor to a man who differed from most of us here today in race, in religion and in political opinions. It could not happen in many places in the world today.

He practiced law in Spokane for forty years. He raised his family there. He contributed much to the building of our present Spokane, and he was liberal with his time and efforts for the welfare of the city. In honoring him on this occasion we do credit to ourselves.

Senator Pearl A. Wanamaker delivered the following eulogy on the life of former Senator Joseph St. Peter:

Joseph A. St. Peter was born in Stillwater, Minnesota, in 1882. He served in the State Senate in the sessions of 1925, 1927 and 1929. September 1, 1929, he was appointed Superintendent of the Washington State Reformatory, serving in this capacity until June 14, 1934. He died at his home near Silver Lake, a suburb of Everett, on April 19, 1937, and was buried under the auspices of the Everett Elks Club on April 22, 1937.

In all my contacts with Mr. St. Peter, I was impressed with the generosity of his mind and his kindly disposition. Among those who had known him throughout his residence in Snohomish County, he was especially appreciated for his innumerable acts of kindness and his devotion to work of charity and relief among the underprivileged.

Representative David Phillips delivered the following eulogy of the life of former Senator Daniel A. Scott:

Daniel A. Scott was born in Rio, Wisconsin, March 31, 1869. He came to Ritzville, Adams County, Washington, in 1890, and for a time resided with his grandfather, B. Buchanan, one of the framers of the Constitution of the State of Washington. He married Miss Alma King, of Helix, Oregon, in the year 1895. Dan was one of the real pioneers of Adams County. He was an extensive wheat farmer all of his life, and was actively engaged in the farming business at the time of his death, December 28, 1938.

Early in life he took an active interest in public affairs and served the people of Adams County as School Director for many years. He served in the State Legislature in the House of Representatives in the Session of 1909, was elected to the State Senate in 1912, and served in the Senate in the Sessions of 1913 and 1915.

During the administration of Governor Louis F. Hart, Dan was appointed to serve as Commissioner of Conservation and Development. During his service in this capacity he was responsible for the framing of much of the legislation concerning the Columbia Basin Irrigation Project. In this connection Dan was successful in obtaining the

services of General Goethals, builder of the Panama Canal, who declared the project feasible and assisted in the original surveys.

Daniel A. Scott was a beloved public servant, and the memory of his integrity, zeal and vision will linger long in the hearts and minds of those who knew him.

Senator Herbert H. Sieler delivered the following eulogy on the life of former Senator George Henry Tucker:

George Henry Tucker, a native of Lewis County, was born on February 1, 1872, the son of John and Mary Hardesty Tucker, the youngest of eight children.

George Henry Tucker received his public school education in the schools of Lewis County, and his higher education at Willamette University in 1896. In the same year of his graduation, he was elected County Superintendent of Schools of Lewis County. He also took part in educating the youth of his native county, teaching at Knob, Toledo, Winlock, and Cowlitz Prairie.

After serving as County Superintendent he returned to Silver Creek, where he entered business. On June 1, 1901, he was married to Nellie Leonard, who survived him. One daughter, Mrs. Lewis Duncan, also survives him.

In 1915 he returned to his educational work, serving as Superintendent at Baw Faw in Lewis County and Eatonville in Pierce County. He closed his educational work at Eatonville in 1935 and in 1936 entered the campaign for State Senator from Lewis County, to which office he was elected. While serving his county and state, he was stricken, but his strong will made him complete the 1937 Session with only fifteen days absence.

George Henry Tucker, an Episcopalian, was a God-fearing man, beloved by his friends and fellow citizens. He felt that to be elected Senator was one of the highest honors to be bestowed upon him by the people of his native county. His illness during the last session of the Legislature prevented him from fully accomplishing his aims for the betterment of this commonwealth and the people of this state. On April 10, 1937, a month after the close of the Session, the Father of all mankind called him to his heavenly home. The life of our departed friend may be summed up in these words:

"For through this toilsome world, alas!
Once and only once we pass,
If a kindness we may show,
If a good deed we may do
To our suffering fellow man,
Let us do it while we can,
Nor delay it, for 'tis plain,
We shall not pass this way again."

He was fair and just to all, and his life was one of devoted service to all the people.

(For eulogies on the lives of former members of the House of Representatives, see House Journal of this date.)

At 4:05 o'clock p. m., on motion of Senator Orndorff, the Joint Session was dissolved.

At 4:20 o'clock p. m., the Senate reconvened in the Senate Chamber.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 13, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 125; also
Senate Bill No. 126; also
Senate Joint Memorial No. 1; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 12, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 113; also
Engrossed House Bill No. 148; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

There being no objection, the Senate returned to the sixth order of business.

INTRODUCTION OF BILLS

House Bill No. 113, by Representative Swegle, entitled: "An Act relating to, and providing for, the codification, compilation and publication of constitutional provisions and state statutes relating to third and fourth class cities and towns; and making an appropriation."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations Other Than First Class.

Engrossed House Bill No. 148, by Representative Kinnear (Geo. C.), entitled: "An Act relating to industrial loan companies; amending section 3, section 4 and section 5 of chapter 186 of the Laws of 1925, Extraordinary Session; amending section 24 of chapter 172 of the Laws of 1923; and repealing section 21, section 22 and section 23 of chapter 172 of the Laws of 1923."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, and referred to the Committee on Banks and Banking.

Senator Reardon assumed the chair.

At 4:27 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRTY-SEVENTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Tuesday, February 14, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators Dawson, Murphy and Troy, who were excused.

Reverend Elmer B. Christie, of St. John's Episcopal Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Resolution No. 13, by Senator Maxwell:

Be It Resolved, by the Senate and the House of Representatives of the State of Washington, in Legislative Session Assembled:

THAT, WHEREAS, The whole world, rent asunder by strife and contention, violence and intolerance, is today in a state of turmoil and uncertainty, marked by a titanic struggle between democracy and autocracy, while in this country anti-American forces are striving to discredit and destroy the ideals and institutions symbolized by the American flag, and social, political and economic forces are combating one another; and

WHEREAS, Never before in the history of the nation has there been greater need among our people for the unity, cooperation and tolerance for which our country's flag stands; and

WHEREAS, With the stars and stripes as its emblem, The United States Flag Association, a non-profit, non-partisan and non-sectarian organization incorporated under federal law and headed by the President of the United States as honorary president general, is, with the cooperation of various groups, organizations and fields of activity in our national life, conducting a national patriotic revival, culminating in Flag Week, June 8 to June 14 next, for the two-fold purpose (1) of awakening our people to the dangers threatening our national life, thereby causing them to resolve as never before to uphold and preserve our country's ideals and institutions, and (2) of promoting national unity, patriotic cooperation, and racial and religious tolerance;

Therefore, *Be It Resolved*, By the Senate and the House of Representatives of the State of Washington, in legislative session assembled:

That they heartily indorse the plan for a great national patriotic revival; and

That the Governor be authorized and requested, first, to direct the state superintendent of public instruction to arrange for the suitable observance of Flag Week in all the public schools, and, secondly, to issue a proclamation calling upon the state officials to display the United States flag on all state buildings during Flag Week, and inviting the people of the state to fly the flag at their homes and other suitable places as well as on their cars, and that in every community they hold special exercises at which means shall be taken to give significant expression to our thoughtful love of America, our pride in its glorious history, our faith in its destiny, our devotion to its ideals and institutions, and our determination to uphold and preserve them now and forever.

On motion of Senator Maxwell, the rules were suspended, the resolution was read the second time by title, read the third time in full, and placed on final passage.

On motion of Senator Farquharson, the following amendment was adopted:

Amend line 1, page 2 of the original resolution, by striking the word "direct" and inserting in lieu thereof the word "request".

The Secretary called the roll on the final passage of Senate Joint Resolution No. 13, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Voyce and Wanamaker—41.

Absent or not voting: Senators Dawson, Drumheller, Murphy, Stinson and Troy—5.

The resolution, having received the constitutional majority, was declared passed.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 13, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 33, and also Engrossed Senate Bill No. 34, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Joseph D. Roberts, Harold P. Troy, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

INTRODUCTION OF BILLS

Senate Bill No. 344, by Senator Reardon, entitled: "An Act relating to flood control, creating the division of flood control, establishing a state and local participating maintenance policy therefor for counties, cities, towns, flood control districts and counties acting jointly pursuant to chapter 54 of the Session Laws of 1913, under supervision of the state supervisor of flood control, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Flood Control.

Senate Bill No. 345, by Senator Haddon, entitled: "An Act relating to public highways; providing for a secondary state highway as a branch of State Highway No. 14; and amending section 15 of chapter 207 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 346, by Senator Roberts, entitled: "An Act relating to the operation, maintenance and control of cemeteries."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 347, by Senator McDonald, entitled: "An Act relating to tax acquired property and providing for the use thereof as parks and recreational sites by the counties of the state and authorizing counties to withdraw tax acquired property to be used as parks and recreational sites from public sale, and providing for a notice of hearing, and providing for the sale of property so converted when the same is not used as parks and recreational sites."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 348, by Senator Sullivan, entitled: "An Act relating to electrical construction and maintenance and use of electric wires, apparatus and appliances, amending section 1 of chapter 130 of the Laws of 1913

(section 5435 of Remington's Revised Statutes), and section 1 of chapter 105 of the Laws of 1937 (section 5437 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 349, by Senator Maxwell, entitled: "An Act providing for the dissolution of commercial waterway districts when the obligations thereof have been paid."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 350, by Senator Maxwell, entitled: "An Act making an appropriation for the construction of a naval and marine corps reserve armory at Seattle, Washington."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

GENERAL FILE

Senate Bill No. 159:

On motion of Senator Maxwell, Senate Bill No. 159 was re-referred to the Committee on Industrial Insurance.

Senate Bill No. 259:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate Bill No. 259, entitled: "An Act relating to licensing of boxing, sparring and wrestling contests or exhibitions; providing for exemptions therefrom; and amending section 22 of chapter 184 of the Laws of 1933 (section 8276-22 of Remington's Revised Statutes)", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 19 of the original bill, the same being section 1, line 10 of the printed bill by striking the period (.) after the word "corps." and inserting in lieu thereof the following: "when such contests or exhibitions are sponsored and supervised by military or naval officers in charge or civilian authorities who may be in charge of civilian conservation corps enrollees."

W. R. ORNDORFF, *Chairman.*

We concur in this report: Gordon Klemgard, Chapin A. Mills, Mary Farquharson, Ted F. Schroeder, James T. Sullivan.

On motion of Senator Orndorff, the report of the committee was received and the bill was read the third time.

Senator Orndorff moved the adoption of the committee amendment.

Senator Orndorff moved the adoption of the following amendment to the committee amendment:

Amend the committee amendment by placing a period (.) after the word "charge" and before the word "or" and strike the balance of the amendment.

The amendment to the committee amendment was adopted.

The committee amendment, as amended, was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 259, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd and Wanamaker—42.

Absent or not voting: Senators Dawson, Murphy, Troy and Voyce—4.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 213:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 213, entitled: "An Act defining the business of making loans in the amount of \$300 or less; providing for the licensing of persons engaged in such business; providing for the administration of this act and for the issuance of rules and regulations therefor; authorizing examinations and investigations by the director of licenses and the publication of reports thereof; prescribing penalties and repealing all acts and parts of acts which relate to the same subject matter as this act, so far as they are inconsistent with the provisions of this act," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the title by striking everything after "thereof;" in line 4 of the title of the printed bill and inserting in lieu thereof the following "and prescribing penalties."

Amend section 3, page 1, line 23 of the printed bill, being section 3, page 2, line 8 of the original bill by striking everything in said section after "calendar year."

Amend section 10, page 3 of the printed bill, being section 10, page 4 of the original bill by striking the whole thereof.

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Ralph Metcalf, F. L. Morgan, H. I. Kyle, Harold P. Troy, Leroy L. Todd, Clifford O. Moe.

Senate Chamber,
Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 213, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman*.

We concur in this report: Geo. F. McAulay, Herbert H. Sieler.

Senator Bloomer assumed the chair.

On motion of Senator Duggan, the reports of the committee were received and the bill was read the third time.

On motion of Senator Duggan, the committee amendment to section 3 was adopted.

Senator Voyce moved that Senate Bill No. 213 be re-referred to the Committee on Banks and Banking.

On motion of Senator Kyle, the motion by Senator Voyce was laid on the table.

Senator Maxwell moved the adoption of the following amendment:

Amend section 3, line 21 of the printed bill, same being line 5, page 2 of the original bill. Strike out the words and numerals "Fifty Dollars (\$50.00)" and insert in lieu thereof "Twenty-five Dollars (\$25.00)".

President Meyers assumed the chair.

The motion by Senator Maxwell lost.

On motion of Senator Drumheller, the following amendment was adopted:

Amend Sec. 3, line 4, page 2 of the original bill, same being Sec. 3, line 20, page 1 of the printed bill, by inserting after the word "making" and before the word "application" the words "the original".

Senator Wanamaker moved the adoption of the following amendment:

Amend line 29, page 2 of the original bill as follows: Insert new section between sections 4 and 5 to be known as Sec. 4½, to read as follows:

"Every licensee operating under the provisions of this act shall be allowed to charge on loans or advancements of \$300 or less 3% per month: *Provided, however,* That said 3% shall include in the aggregate all fees, charges, bonus, interest, expense, demands, or exactions of any nature whatsoever. No licensee shall charge or receive of the borrower or any other person on his or their behalf a greater rate of charge than 3% per month. Such charges shall not be payable in advance and shall be computed on unpaid balances only."

Senator Keller moved that the amendment of Senator Wanamaker be laid on the table.

The motion failed to carry.

Senator Maxwell moved that Senate Bill No. 213 be re-referred to the Committee on Financial Institutions Other Than Banks.

On motion of Senator Joyce, the motion was laid on the table.

The President announced that the question was on the adoption of the amendment by Senator Wanamaker.

Senators Wanamaker, McAulay, Shorett, Sullivan, Kerstetter, Roberts, Atkinson, Joyce and Edwards demanded a roll call.

A roll call was ordered.

The Secretary called the roll on the adoption of the amendment by Senator Wanamaker, and it failed to carry by the following vote:

Those voting aye were: Senators Atkinson, Farquharson, Haddon, Kerstetter, Malstrom, McAulay, McDonald, Mills, Morgan, Murfin, Reardon, Roberts, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Joyce and Wanamaker—21.

Those voting nay were: Senators Bloomer, Copeland, Drumheller, Duggan, Edwards, Ferryman, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McMillan, Metcalf, Moe, Murphy, Orndorff, Percival, Rosellini, Roup and Troy—24.

Absent or not voting: Senator Dawson—1.

Senator Reardon moved that Senate Bill No. 213 be referred to the Committee on Financial Institutions Other Than Banks.

On motion of Senator Drumheller, the motion was laid on the table.

Senator Malstrom moved the adoption of the following amendment:

Amend line 18 of the original bill, strike subsection (2) and substitute in lieu thereof the following:

"(2) To solicit the business of, or to transact business with, minors".

On motion of Senator Drumheller, the motion was laid on the table.

Senator Wanamaker moved that Senate Bill No. 213 be referred to the Committee on Banks and Banking.

Senator Maxwell moved that Senate Bill No. 213 be referred to the Committee on Financial Institutions Other Than Banks.

Senator Drumheller moved that the motion by Senator Maxwell be laid on the table and carry Senator Wanamaker's motion with it.

The President announced that the Senate is now voting on the motion to lay the motion of Senator Wanamaker on the table and the motion of Senator Maxwell on the table.

The motion to lay Senator Wanamaker's motion and Senator Maxwell's motion on the table carried.

Senator Malstrom moved the adoption of the following amendment:

Amend section 4, line 8 of the printed bill, same being line 18 of the original bill, strike after the word "solicit" the word "the" and insert the words "or transact", and change the word "of" to "with".

On motion of Senator Rosellini, the amendment was laid on the table.

Senator Roberts moved the adoption of the following amendment:

Amend by adding the following:

"Section 4½. Any person who shall directly or indirectly contract for or take or reserve any greater rate of interest than that allowed by law shall be guilty of a misdemeanor."

Senator McAulay moved that Senate Bill No. 213 be re-referred to the Committee on Banks and Banking.

On motion of Senator Kyle, the motion by Senator McAulay was laid on the table.

On motion of Senator Rosellini, the amendment to Senate Bill No. 213 offered by Senator Roberts was laid on the table.

Senator Wanamaker moved the adoption of the following amendment:

Amend Sec. 5, line 16, page 3 of the original bill, same being Sec. 5, line 29, page 2 of the printed bill, by adding to Sec. 5 a new paragraph to read as follows:

"The director shall have authority to make such general rules and regulations in addition hereto and not inconsistent herewith as may be necessary for the proper conduct of such business and the enforcement of this act."

The amendment was adopted.

Senator Sullivan moved the adoption of the following amendment:

Amend the bill on page 2 by inserting a new section between section 4 and section 5 to be known as section 4½ and to read as follows:

"Every licensee operating under the provisions of this act shall be allowed to charge on loans or advancements of \$300.00 or less 1% per month: *Provided, however,* That said 1% shall include in the aggregate all fees, charges, bonus, interest, expense, demands, or exactions of any nature whatsoever. No licensee shall charge or receive of the borrower or any other person on his or their behalf a greater rate of charge than 1% per month. Such charges shall not be payable in advance and shall be computed on unpaid balances only."

On motion of Senator Orndorff, the amendment was laid on the table.

On motion of Senator Wanamaker, the following amendment was adopted:

Amend Sec. 5, line 14 of the original bill, same being Sec. 5, line 28, page 2 of the printed bill, by striking the word "commissioner" and inserting in lieu thereof the word "director".

Senator Atkinson moved the adoption of the following amendment:

Amend section 8, paragraph (2), lines 2 to 5, page 3, of the printed bill, by striking Par. (2).

On motion of Senator Kyle, the amendment was laid on the table.

On motion of Senator Duggan, the committee amendment striking section 10 was adopted.

On motion of Senator Duggan, the committee amendment to the title was adopted.

Senators Murfin, Orndorff and Keller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 213, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Those voting nay were: Senators Atkinson and McAulay—2.

Absent or not voting: Senator Dawson—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Maxwell gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 213 passed the Senate.

Senator Shorett gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 213 passed the Senate.

Senator Reardon assumed the chair.

At 1:00 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRTY-EIGHTH DAY

MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, February 15, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present except Senator Keller, who was excused, and Senator Maxwell.

Reverend Elmer B. Christie, of St. John's Episcopal Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

SENATE RESOLUTION

By Senator Kyle:

WHEREAS, the law of the State of Washington provides that it shall be the duty of the Tax Commission of the State of Washington, among other things

"to investigate the tax laws of this and other states, and the possible taxable resources of this state for the purpose of recommending to the legislature methods by which a more just and equitable system of taxation may be developed," (Sec. 11091, subsection 6, Rem. Rev. Stat.)
and

WHEREAS, according to the Governor's own recommendation to the legislature, this state faces a deficit of \$11,904,448.77, (Governor's Budget, Part 1, page 51); and

WHEREAS, the 26th legislature has now been in session for 37 days, and no such recommendation to the legislature has yet been made by the State Tax Commission, and

WHEREAS, because of the failure of State Tax Commission to make such recommendations this legislature is hampered, obstructed, and delayed in formulating the laws necessary to balance the state budget, and enact a sound and equitable revenue program.

Now, Therefore, Be It Resolved that the State Tax Commission be directed to prepare and submit to the respective committees on Revenue and Taxation of the Senate and House of Representatives of this legislature a recommended program of legislation designed and calculated to place the State of Washington upon a sound financial basis, with due respect to the obligations heretofore incurred, and to the functions and services demanded by the people of this state.

Be It Further Resolved, that such recommendation be submitted to said committees not later than the 45th day of this session of the legislature.

Senator Kyle moved the adoption of the resolution.

President Meyers assumed the chair.

Senator McAulay moved that the resolution be referred to the Committee on Revenue and Taxation.

On motion of Senator Kerstetter, the motion was laid on the table.

Senator Duggan moved the adoption of the following amendment:

Amend line 26, strike the words: "and to functions and services demanded by the people of this state."

On motion of Senator Morgan, the amendment was laid on the table.

Senators Reardon, Ferryman and Rosellini demanded the previous question.

The previous question was ordered.

A roll call was demanded by Senators Reardon, Todd, Sullivan, Kerstetter, Joyce, Morgan and Farquharson.

A roll call was ordered.

The Secretary called the roll and the resolution was adopted by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Farquharson, Ferryman, Haddon, Holt, Kerstetter, Kyle, Lovejoy, Malstrom, Mills, Moe, Morgan, Murphy, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Joyce and Wanamaker—23.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Henderson, Keeler, Klemgard, Koontz, McAulay, McDonald, McMillan, Metcalf, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Sieler, Stinson and Troy—21.

Absent or not voting: Senators Keller and Maxwell—2.

On motion of Senator Reardon, it was ordered that the resolution be immediately sent to the Tax Commission of the State of Washington.

MOTION FOR RECONSIDERATION

Senator Sieler moved that the Senate now proceed to reconsider the vote by which Senate Bill No. 213 passed the Senate on yesterday.

On motion of Senator Drumheller, the motion was laid on the table.

The Secretary read:

SENATE RESOLUTION

By Senators Klemgard and Metcalf:

RESOLVED BY THE SENATE, That the cordial greetings of the Senate on his eighty-seventh birthday, February 17, 1939, be sent the Veteran of Veterans of the Senate, Oliver Hall of Whitman county, a member of this Senate for sixteen sessions concluding with 1931.

Senator Klemgard moved the adoption of the resolution.

Senator Troy assumed the chair.

The motion to adopt the resolution carried.

The Secretary read:

Senate Joint Resolution No. 14, by Senator Holt: "Providing for submission to the electors of the state of a proposal to amend article VII of the Constitution of the State of Washington relating to taxation by adding thereto a new section to be designated section 2 of said article."

The resolution was read the first time, and on motion of Senator Holt the rules were suspended, the resolution was read the second time by title, ordered printed and referred to the Committee on Constitutional Revision.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 259 and also Engrossed Senate Joint Resolution No. 13, have compared same with the original bill and resolution and find them correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman*.

We concur in this report: Joseph D. Roberts, Harold P. Troy, Robert T. McDonald, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

Senate Bill No. 74:

The Committee on Game and Game Fish recommended that Senate Bill No. 74 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 9:

The Committee on Game and Game Fish recommended that Senate Bill No. 9 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 304:

The Committee on Game and Game Fish recommended that Senate Bill No. 304 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 135:

The Committee on State Library recommended that Senate Bill No. 135 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 331:

The Committee on State Library recommended that Senate Bill No. 331 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 58:

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that House Bill No. 58 do pass.

The report of the committee, together with the bill, was placed on general file.

President Meyers assumed the chair.

Senate Bill No. 264:

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 264 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 228:

The Committee on Social Security recommended that Senate Bill No. 228 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Lovejoy assumed the chair.

Senate Bill No. 245:

The Committee on Insurance recommended that Senate Bill No. 245 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 61:

The Committee on Insurance recommended that Senate Bill No. 61 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 272:

The Committee on Insurance recommended that Senate Bill No. 272 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 75:

The Committee on Roads and Bridges recommended that Senate Bill No. 75 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 202:

The Committee on Roads and Bridges recommended that Senate Bill No. 202 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 166:

A majority of the Committee on Revenue and Taxation reported Senate Bill No. 166 back to the Senate without recommendation.

A part of the Committee on Revenue and Taxation recommended that Senate Bill No. 166 do pass.

A part of the Committee on Revenue and Taxation recommended that Senate Bill No. 166 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

MESSAGE FROM THE SECRETARY OF STATE

Department of State,
Olympia, February 15, 1939.

*Mr. Earle M. McCroskey, Secretary of the Senate, Washington
State Legislature, Olympia, Washington:*

DEAR SIR:

We enclose herewith a copy of a letter received in this office on February 14, relative to the transmittal of Senate Joint Memorial No. 4.

Very truly yours,
BELLE REEVES,
Secretary of State.

C O P Y

POST OFFICE DEPARTMENT
THIRD ASSISTANT POSTMASTER GENERAL
Washington

February 9, 1939.

*Hon. Belle Reeves, Secretary of State,
Olympia, Wash.*

MY DEAR MISS REEVES:

Receipt is acknowledged of your letter of January 25 to the Postmaster General, transmitting a certified copy of Senate Joint Memorial Resolution No. 4 of the Twenty-sixth Session of the State Legislature, recommending the issuance of a special postage stamp to commemorate the 50th anniversary of the admission of Washington to statehood.

As a matter of information, the application for a stamp to commemorate the semi-centennial of Washington statehood is on file in the Department for consideration in connection with our stamp program for the current year.

Very truly yours,
(Signed) RAMSEY S. BLACK,
Third Assistant Postmaster General.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 260, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 15, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 35; also
Engrossed House Bill No. 41; also
House Bill No. 86; also
Engrossed House Bill No. 91; also
House Bill No. 181; also
House Bill No. 208; also
House Bill No. 325; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate Bill No. 351, by Senator Moe, entitled: "An Act requiring contractors on public works to furnish bonds conditioned for the performance of said contracts, and for the payment of laborers, mechanics, materialmen and others, and regulating contracts for public improvements, fixing the percentages to be retained as indemnity for sureties, giving a lien thereon, and providing for the foreclosure thereof, and repealing section 2 of chapter 207, Laws of 1909, chapters 28 and 167, Laws of 1915, and chapter 166, Laws of 1921, and all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 352, by Senator Morgan, entitled: "An Act relating to revenue and taxation, transferring moneys from the highway safety fund to the common school fund, and abolishing the highway safety fund."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 353, by Senator Roberts, entitled: "An Act to provide for the supervision and control of the milk industry of the state of Washington; to create a milk control board to exercise such supervision and control pursuant to the provisions of this act; to provide for the manner of selecting the members of said milk control board and fixing their compensation; to prescribe and define the powers and duties thereof, providing penalties for violation of this act, making an appropriation therefor; and declaring an emergency."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dairy and Livestock.

Senate Bill No. 354, by Senator Morgan, entitled: "An Act relating to revenue and taxation, increasing the revenue from pari-mutuel betting, and amending section 30 of chapter 182 of the Laws of 1935 (section 8312-9 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

House Bill No. 260, by Committee on Rules and Order (By Executive Request), entitled: "An Act relating to intoxicating liquors and amending section 78 of chapter 62 of the Laws of 1933, Extraordinary Session, as

amended by section 1, chapter 80 of the Laws of 1935, and section 2, chapter 62 of the Laws of 1937, the same being 7306-78 Remington's Revised Statutes, and declaring an emergency."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Liquor Control.

House Bill No. 35, by Representative Hurley, entitled: "An Act relating to and creating a fund in the state treasury to be known as the Volunteer Firemen's Relief and Compensation Fund, and amending section 2, chapter 121, of the Session Laws of 1935."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 41, by Representatives Sherman, Pearson and Savage, entitled: "An Act relating to the Olympic National Park and ceding jurisdiction thereof to the United States with certain reservations."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, and referred to the Committee on Parks and Playgrounds.

House Bill No. 86, by Representative Hanson, entitled: "An Act relating to game; providing that one member of the state game commission shall be a farm owner residing upon a farm east of the Cascade Mountains, and one member shall be a farm owner residing upon a farm west of the Cascade Mountains; and amending section 5855-2 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator McAuley the rules were suspended, the bill was read the second time by title, and referred to the Committee on Game and Game Fish.

Engrossed House Bill No. 91, by Representative Guisinger, entitled: "An Act relating to extrahazardous employment and to the compensation and remedies of workmen injured therein, and of their dependents and beneficiaries in case of death, and to the medical aid of workmen injured and safety of workmen engaged in such employments; amending section 7674 of Remington's Revised Statutes of Washington, as amended by section 1, chapter 211, Laws of 1937; and section 7675 of Remington's Revised Statutes of Washington."

The bill was read the first time, and on motion of Senator Kerstetter the rules were suspended, the bill was read the second time by title, and referred to the Committee on Industrial Insurance.

House Bill No. 181, by Representative Martin, entitled: "An Act relating to the payment of bounties for the killing of certain predatory animals and amending section 2 of chapter 63 of the Laws of 1937 (section 3708-2, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, and referred to the Committee on Game and Game Fish.

House Bill No. 208, by Committee on Dairy and Livestock, entitled: "An Act amending sections 6, 14 and 15 of Remington's Revised Statutes; providing for inspection fees and payment of inspectors; designating unlawful ear-

marks; providing for proof of ownership of livestock; declaring certain animals to be estrays and providing for sale of same."

The bill was read the first time, and on motion of Senator Todd the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Livestock.

House Bill No. 325, by Committee on Medicine, Dentistry, Pure Food and Drugs, entitled: "An Act to prohibit the sale, gift, barter, exchange or distribution of amylal, luminal, veronal, barbital, acid diethylbarbituric and para-amino-benzene sulfonamide and their derivatives; amending section 1, chapter 6, Laws of 1939; and declaring an emergency."

The bill was read the first time, and on motion of Senator Henderson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

President Meyers assumed the chair.

GENERAL FILE

House Bill No. 33:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 11, 1939.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House Bill No. 33, entitled: "An Act relating to the qualification of electors, the registration of voters, defining the duties of certain officers in connection therewith, and amending section 5114-3 of Remington's Revised Statutes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, page 1, line 15 of the original bill, being page 1, line 9 of the printed bill, after the asterisk (*) and before the colon (:) insert the following words "It shall be permissible for one person to act as deputy registrar for not more than five (5) precincts, at the discretion of the county auditor".

KEBEL MURPHY, *Chairman.*

We concur in this report: H. I. Kyle, James T. Sullivan, A. E. Edwards, Chapin A. Mills, Monty Percival.

On motion of Senator Murphy, the report of the committee was received and the bill was read the third time.

On motion of Senator Murphy, the committee amendment was adopted.

The Secretary called the roll on the final passage of House Bill No. 33, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Absent or not voting: Senators Dawson, Drumheller, Keeler, Keller, Maxwell, Roberts, Shorett and Stinson—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 103:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 103, entitled: "An Act relating to taxation; providing for cancellation of or reduction in the assessment of property erroneously assessed through errors in description, double assessments or manifest errors in assessment which do not involve a revaluation of the property, and the correction of error in extending tax-rolls and for the refund of taxes based thereon; defining the duties of certain state and county officers in connection therewith; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman*.

We concur in this report: F. L. Morgan, W. R. Orndorff, James T. Sullivan, Harold P. Troy, Albert D. Rosellini, Alfred E. Holt, Kebel Murphy, N. P. Atkinson, Joseph D. Roberts, Ralph Metcalf, Pearl A. Wanamaker.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 103, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Kerstetter, Klemgard, Koontz, Kyle, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Absent or not voting: Senators Dawson, Drumheller, Ferryman, Keeler, Keller, Lovejoy, Maxwell, Moe, Roberts and Shorett—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 105:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, a part of your Committee on Educational Institutions, to whom was referred House Bill No. 105, entitled: "An Act requiring the display of the United States flag on the campuses of the state institutions of higher education," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend Sec. 2, line 15 of the original bill, the same being Sec. 2, line 8 of the printed bill, by striking the entire section., *Chairman*.

We concur in this report: Kebel Murphy, Alfred E. Holt, Robert T. McDonald, Lulu D. Haddon.

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, a part of your Committee on Educational Institutions, to whom was referred House Bill No. 105, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: W. R. Orndorff, A. M. Murfin, James T. Sullivan, Judson W. Shorett.

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, a part of your Committee on Educational Institutions, to whom was referred House Bill No. 105, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

MARY FARQUHARSON, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Gordon Klemgard.

On motion of Senator Haddon, the reports of the committee were received and the bill was read the third time.

Senator Murphy moved that House Bill No. 105 be re-referred to the Committee on Judiciary.

On motion of Senator McAulay, the motion was laid on the table.

On motion of Senator Farquharson, the committee amendment was adopted.

The Secretary called the roll on the final passage of House Bill No. 105, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—37.

Those voting nay were: Senators Murfin, Murphy and Reardon—3.

Absent or not voting: Senators Bloomer, Dawson, Keeler, Keller, Maxwell and Moe—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION

Senator Edwards moved to reconsider the vote by which the resolution introduced by Senator Kyle was adopted this morning, said resolution relating to the duties of the Tax Commission of the State of Washington "to investigate the tax laws of this and other states and the possible taxable resources of this state for the purpose of recommending to the legislature methods by which a more just and equitable system of taxation may be developed."

Senator Kyle moved that the motion by Senator Edwards be laid on the table.

Senators Reardon, Koontz, Klemgard, Drumheller, Edwards, Roberts, McAulay and McMillan demanded a roll call.

A roll call was ordered.

Senator Reardon moved that the Senate reconsider the order of transmittal of the resolution to the State Tax Commission.

Senators Kyle, Klemgard and Edwards moved the previous question.

The President announced that the Senate was now voting on the motion by Senator Reardon to reconsider the vote by which the Secretary of the Senate was instructed to immediately transmit the resolution to the Tax Commission of the State of Washington.

Senator Wanamaker moved that the motion by Senator Reardon be laid on the table.

Senators Reardon, Koontz, Klemgard, Drumheller, Edwards, Roberts, McAulay and McMillan demanded a roll call.

A roll call was ordered.

The President announced that the question was on the motion by Senator Wanamaker to lay the motion of Senator Reardon on the table.

The Secretary called the roll and the motion by Senator Wanamaker failed to carry by the following vote:

Those voting aye were: Senators Atkinson, Farquharson, Ferryman, Haddon, Holt, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Voyce and Wanamaker—18.

Those voting nay were: Senators Copeland, Drumheller, Duggan, Edwards, Henderson, Keeler, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Sieler, Stinson and Troy—24.

Absent or not voting: Senators Bloomer, Dawson, Keller, Maxwell—4.

Senators Drumheller, McAulay and Duggan demanded the previous question.

The President announced that the question was upon the motion of Senator Reardon to reconsider the vote by which the resolution was ordered sent immediately to the Tax Commission of the State of Washington.

The motion carried.

Senator Kyle moved that the Senate proceed in order.

Senator Edwards moved that the Senate reconsider the vote by which the resolution was adopted.

Senator Murphy moved that the Senate do now recess until two o'clock p. m.

The motion failed to carry.

Senators Troy, Koontz and Keeler demanded the previous question.

The previous question was ordered.

The President announced that the Senate would now vote on the motion by Senator Edwards to reconsider the vote by which the resolution was adopted.

Senators McAulay, Klemgard, McMillan, Kerstetter, Kyle, Atkinson, Malstrom and Drumheller demanded a roll call.

A roll call was ordered.

The Secretary called the roll, and the motion by Senator Edwards carried by the following vote:

Those voting aye were: Senators Copeland, Drumheller, Duggan, Edwards, Henderson, Holt, Keeler, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Sieler, Stinson and Troy—25.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Ferryman, Haddon, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Voyce and Wanamaker—18.

Absent or not voting: Senators Dawson, Keller and Maxwell—3.

The President announced that the Senate would now vote on the adoption of the resolution.

Senator Drumheller moved that the resolution be referred to the Committee on Revenue and Taxation.

The motion carried.

House Bill No. 108:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 108, entitled: "An Act authorizing the exchange of state lands for lands owned by F. L. Rohrbach," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. L. MORGAN, *Chairman.*

We concur in this report: Alfred E. Holt, Mary Farquharson, Harold P. Troy, Monty Percival, J. P. Keller.

On motion of Senator Morgan, the report of the committee was received and the bill was read the third time.

Senators Kyle, Holt and Troy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 108, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Rear-don, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Dawson, Keller, Klemgard, Maxwell, Murfin and Roberts—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 109:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 109, entitled: "An Act authorizing the conveyance to the Fair-

mont Cemetery Association of certain state lands in Spokane county," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. L. MORGAN, *Chairman*.

We concur in this report: Alfred E. Holt, Mary Farquharson, Harold P. Troy, Monty Percival, J. P. Keller.

On motion of Senator Morgan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 109, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Mills, Morgan, Murfin, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Those voting nay were: Senator Murphy—1.

Absent or not voting: Senators Dawson, Farquharson, Keller, Klemgard, Maxwell, McDonald, Moe, Orndorff and Roberts—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 119:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations, to whom was referred House Bill No. 119, entitled: "An Act appropriating the sum of thirty-five hundred dollars (\$3500.00), or so much thereof as may be necessary for the temporary publication of Session Laws of the 26th Session of the Washington State Legislature and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: Alfred E. Holt, Robert T. McDonald, Paul G. Thomas, Mary Farquharson, G. B. Kerstetter, John H. Ferryman, W. C. Dawson, A. E. Edwards, Gordon Klemgard, Geo. A. Lovejoy, Kathryn E. Malstrom, Monty Percival, Chapin A. Mills, Henry J. Copeland, Howard Roup.

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations, to whom was referred House Bill No. 119, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: Joseph Drumheller, D. E. McMillan.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider House Bill No. 119.

The bill was considered in the committee of the whole, Senator Keeler in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Keeler, the report of the committee of the whole was adopted.

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the bill be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of House Bill No. 119, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—37.

Those voting nay were: Senators Morgan and Murphy—2.

Absent or not voting: Senators Dawson, Keller, Klemgard, Maxwell, McMillan, Moe, Wanamaker—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 1:00 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

THIRTY-NINTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Thursday, February 16, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Maxwell, who was excused and Senators Drumheller and Farquharson.

President Meyers assumed the chair.

Reverend Elmer B. Christie, of the St. John's Episcopal Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 15, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 213, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Joseph D. Roberts, Robert T. McDonald, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was received.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., February 15, 1939.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate Resolution by Senator Roberts, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend Senate Resolution by Senator Roberts by striking all of paragraph 4 and inserting in lieu thereof the following:

"Now, Therefore, Be It Resolved, That the Senate of the State of Washington, in legislative session now assembled, requests the federal government to do all in its power to increase the defenses of the State of Washington and Pacific Northwest to the point where invasion, either by land, sea or air, shall be prevented; and that copies of this resolution be immediately transmitted to the members of our congressional delegation in Washington, D. C., to the Secretaries of War and Navy, and to the President of the United States."

W. R. ORNDORFF, *Chairman.*

We concur in this report: Ted F. Schroeder, Chapin A. Mills, Gordon Klemgard, Joseph D. Roberts.

On motion of Senator Orndorff, the Senate proceeded to the consideration of the resolution.

The Secretary read:

SENATE RESOLUTION

By Senator Roberts:

WHEREAS, the State of Washington and the North Pacific Coast of the United States is now the part of our country most vulnerable to attack; and

WHEREAS, it is to the interest of the rest of the nation that this area be well protected so as to prevent any possible foothold being obtained on these shores by any foreign power; and

WHEREAS, National Defense Week is being celebrated from February 12 to February 22, this year in the State of Washington:

Now, Therefore, Be It Resolved, by the Senate of the State of Washington that requests be forwarded, in the name of this body, to the President, the Congress, the War Department and the Navy Department of the United States, calling upon each of them to do all in their power to increase the defenses of the State of Washington and the Pacific Northwest in the following particulars:

1. Rapid completion of the GHQ Air Force Training Center at McChord Field, Tacoma, with appropriate permanent fields for bombardment, pursuit, attack and observation units.

2. Complete observation squadron of 14 planes with 3d Division at Fort Lewis.

3. Modern bombardment planes for Reserve bombardment squadron at Seattle.

4. At least 11 advance landing fields on the north and west frontiers of the State of Washington.
5. GHQ Air Depot east of the mountains.
6. Complete modern equipment for National Guard observation squadron at Spokane.
7. Modernization, reconstruction and additional armament of Forts Worden, Casey, and Flagler to guard the entrance to Puget Sound.
8. Modernization, reconstruction and additional armament for Forts Canby, Columbia and Stevens, guarding the entrance to the Columbia river.
9. A National Guard anti-aircraft protection in the vicinity of Puget Sound and Grays Harbor.
10. Retention and maintenance of Forts Lawton and George Wright.
11. Complete peace time strength Infantry Division, plus Chemical Warfare Unit and a mechanized or Horse Cavalry Regiment at Fort Lewis.
12. Railroad improvement and extension where necessary, including emplacements for railway artillery for Coastal Defense.
13. Improvement of existing road nets and construction of concrete emplacements for motorized artillery at vulnerable points on the Coast.
14. Allotment of sufficient federal funds to maintain the active service of the Reserve Officers' Association and other military personnel in the State of Washington.

On motion of Senator Orndorff, the committee amendment was adopted.

On motion of Senator Orndorff, the resolution as amended was adopted.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 169:

The Committee on Mines and Mining recommended that Senate Bill No. 169 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 159:

A majority of the Committee on Industrial Insurance recommended that Senate Bill No. 159 do pass as amended.

A minority of the Committee on Industrial Insurance recommended that Senate Bill No. 159 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 226:

The Committee on Judiciary recommended that Senate Bill No. 226 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 225:

A majority of the Committee on Judiciary recommended that Senate Bill No. 225 do pass with certain amendments.

A minority of the Committee on Judiciary recommended that Senate Bill No. 225 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 265:

The Committee on Compensation and Fees for State and County Officers recommended that Senate Bill No. 265 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 113:

The Committee on Revenue and Taxation recommended that Senate Bill No. 113 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 50 with the following amendment:

Amend section 1 by adding thereto the following sentence: "Provided, That nothing in this section shall prohibit the appointment as inspector of a member of organized labor who is not a member or employee of a bakery or bakery operators' association or interested therein," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Murfin moved that the Senate do not concur in the House amendment, and that the House be requested to recede therefrom.

The motion carried.

INTRODUCTION OF BILLS

Senate Bill No. 355, by Senator Kyle, entitled: "An Act to prohibit the operation of certain types of trailers upon the public highways of the State of Washington, and to regulate and prohibit the operation, upon the public highways of said state, of commercial motor vehicles, with certain exceptions, during weekends and holidays; providing penalties for the violation of the provisions hereof and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 356, by Senator Sullivan, entitled: "An Act relating to intoxicating liquor and amending section 62 of chapter 62 of the Laws of 1933, Extraordinary Session (section 7306-62 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Sullivan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Liquor Control.

Senate Bill No. 357, by Senators Lovejoy and Kyle, entitled: "An Act relating to admission to the practice of law, amending section 8 of chapter 94 of the Laws of 1933 (section 138-8 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 358, by Senator Maxwell, entitled: "An Act relating to water districts and providing for the acquiring, construction, maintenance, operation, development and regulation of street lighting systems thereby."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 359, by Senator Maxwell, entitled: "An Act relating to counties, recognizing the need for uniformity and co-ordination of county administrative programs, directing county commissioners jointly to prepare annual reports on county operations and to submit to the legislature recommendations on improvement of county administrative procedures, authorizing the designation of the Washington State Association of County Commissioners as a co-ordinating agency in the execution of the act, permitting counties to reimburse the association for services so rendered, and authorizing commissioners to attend inter-county meetings."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Counties and County Boundaries.

Senate Bill No. 360, by Senator McDonald, entitled: "An Act relating to the sale, exchange or rental of lands granted to the state for educational purposes and of materials thereon, and providing for reference to the state board of education."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 361, by Senators Shorett and Reardon, entitled: "An Act relating to water and water supply districts; providing for the issuance and sale of water revenue bonds; providing for the payment thereof from revenues and from utility local improvement district assessments; creating a water revenue redemption fund; providing for the refunding of local improvement district bonds; and amending section 9 of chapter 114 of the Laws of 1929 (section 11587 of Remington's Revised Statutes) and section 1 of chapter 177 of the Laws of 1937 (section 11588 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Shorett the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

Senate Bill No. 362, by Senators Lovejoy and Klemgard, entitled: "An Act relating to state parks, abolishing the state parks committee, transferring its powers and duties to the director of highways, transferring certain moneys to the motor vehicle fund, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Parks and Playgrounds.

There being no objection, the Senate referred back to the fourth order of business.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, February 15, 1939.

*To the Honorable, the Senate and the House of Representatives of the
State of Washington:*

In compliance with the Provisions of section II of article III of the Constitution of the State of Washington, I have the honor to submit herewith a list of the pardons,

reprieves, commutations, conditional pardons and executive paroles granted since the date of the report to the Legislature of the 1937 Session.

Respectfully submitted,
CLARENCE D. MARTIN, *Governor.*

On motion of Senator Reardon, the Governor's message was referred to the Committee on State Penal and Reformatory Institutions.

GENERAL FILE

Senate Bill No. 117:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 117, entitled: "An Act creating the motor vehicle license insurance fund for the purpose of compensating persons injured by motor vehicles, providing for the payment of an additional motor vehicle license fee, establishing benefits, and conferring certain powers upon the director of labor and industries," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

FRED S. DUGGAN, *Chairman.*

We concur in this report: H. I. Kyle, Albert D. Rosellini, A. M. Murfin, Leroy L. Todd, Ralph Metcalf, F. L. Morgan, Judson W. Shorett.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

Senator Morgan moved the adoption of the following amendment:

Amend section 3, line 11 of the printed bill, same being line 20 of the original bill, by inserting the words "Seven Dollars Fifty Cents" in place of "Two Dollars Fifty Cents".

The motion failed to carry.

On motion of Senator Stinson, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 117.

The bill was considered in the committee of the whole, Senator Orndorff in the chair, and reported back to the Senate with the recommendation that Senate Bill No. 117 be re-referred to the Committee on Insurance.

On motion of Senator Orndorff, the report of the committee of the whole was adopted.

Senate Bill No. 133:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 133, entitled: "An Act relating to the giving of proof of financial responsibility by owners and operators of for-rent motor vehicles, providing penalties for certain offenses and declaring when this act shall take effect," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the title by striking the words "and declaring when this act shall take effect" and by inserting the word "and" before "providing".

Amend section 16, by striking the whole thereof.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Earl Maxwell, A. M. Murfin, Judson W. Shorett, H. I. Kyle, Ralph Metcalf, Albert D. Rosellini, Herbert H. Sieler, Geo. F. McAulay, Leroy L. Todd, F. L. Morgan.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

On motion of Senator Murfin, the following amendment was adopted:

Amend Sec. 8, line 6, page 3 of the printed bill, by striking the figures "10" and inserting in lieu thereof the figure "7".

On motion of Senator Murfin, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 133, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—37.

Absent or not voting: Senators Dawson, Drumheller, Duggan, Ferryman, Klemgard, Maxwell, McAulay, Roup and Schroeder—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 231:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Senate Bill No. 231, entitled: "An Act relating to intoxicating liquors; creating a seasonal license for persons operating outing parks and beach resorts and fixing a fee therefor; amending chapter 62 of the Laws of 1933, Extraordinary Session, as amended, by adding a new section thereto to be known as section 23-S½; and providing that this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: H. I. Kyle, G. B. Kerstetter, James T. Sullivan, W. R. Orndorff, Monty Percival, Thomas Voyce, D. E. McMillan.

On motion of Senator Lovejoy, the report of the committee was received and the bill was read the third time.

Senator McMillan moved the adoption of the following amendment:

Amend section 1, line 9 of the printed bill, strike the semicolon after the word resorts—line 9 of the printed bill—and add: "or to such established business places whose business is largely dependent upon such parks or resorts or directly contingent thereon".

Senators Kyle, Orndorff and Morgan demanded the previous question.

The previous question was ordered.

The motion by Senator McMillan lost.

Senator Sieler moved the adoption of the following amendment:

Amend section 1, line 10, page 1 of the printed bill, by striking the period (.) inserting in lieu thereof a colon (:), and add the following:

"*Provided*, That nothing in this act shall be construed to permit the sale of beer, wine or other intoxicating liquor in any park or recreational center owned by the state or under the supervision of any department of the state."

Senators Kyle, Keeler and Wanamaker demanded the previous question. The previous question was ordered.

The motion by Senator Sieler carried.

Senator Holt moved the adoption of the following amendment:

Amend section 1, line 10 of the printed bill, same being line 20 of the original bill, by adding the following:

Class H license shall not be issued when such outing park or resort does not itself sell beer.

The motion failed to carry.

Senators Reardon, Orndorff and Kyle demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 231, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Keller, Kyle, Lovejoy, Moe, Orndorff, Roberts, Rosellini, Sullivan and Troy—11.

Those voting nay were: Senators Atkinson, Dawson, Duggan, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Malstrom, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Percival, Reardon, Shorett, Sieler, Stinson, Thomas, Todd, Voyce and Wanamaker—28.

Absent or not voting: Senators Drumheller, Edwards, Klemgard, Maxwell, McAulay, Roup and Schroeder—7.

Senator Reardon announced that he desired to change his vote from "Aye" to "No."

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Reardon gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 231 failed to pass.

Senate Bill No. 197:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate Bill No. 197, entitled: "An Act authorizing the conveyance of certain shorelands to the University of Washington for arboretum and botanical gardens", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. L. MORGAN, *Chairman.*

We concur in this report: Monty Percival, Alfred E. Holt, J. P. Keller, Harold P. Troy, Mary Farquharson.

On motion of Senator Morgan, the report of the committee was received and the bill was read the third time.

Senators Keeler, Haddon and Kyle demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 197, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Drumheller, Klemgard, Maxwell, Roup, Schroeder and Stinson—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 196:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 196, entitled: "An Act relating to state control of blasting powder and repealing chapter 157 of the Laws of 1919", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Earl Maxwell, A. M. Murfin, Albert D. Rosellini, Ralph Metcalf, Judson W. Shorett, Herbert H. Sieler, Geo. F. McAulay, H. I. Kyle, Leroy L. Todd, F. L. Morgan.

On motion of Senator Murphy, the report of the committee was received and the bill was read the third time.

Senator Klemgard assumed the chair.

The Secretary called the roll on the final passage of Senate Bill No. 196, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Drumheller, Farquharson, Keller, Maxwell, Roup and Schroeder—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 167:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 167, entitled: "An Act relating to admission of children to public schools and amending

section 1 of chapter 93 of the Laws of Extraordinary Session of 1925 as amended", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 15 of the original bill, the same being section 1, line 8 of the printed bill, by striking "or other United States reservation" and inserting in lieu thereof the following: "reservation or other United States property".

Amend section 1, lines 26 and 27 of the original bill, the same being section 1, lines 16 and 17 of the printed bill, by striking "or other United States reservation" and inserting in lieu thereof the following: "reservation or other United States property."
LULU D. HADDON, *Chairman*.

We concur in this report: Mary Farquharson, Geo. F. McAulay, Kathryn E. Malstrom, Pearl A. Wanamaker, Keiron W. Reardon, Gordon Klemgard.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

On motion of Senator Haddon, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 167, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Shorett, Sieler, Sullivan, Thomas, Troy, Voyce and Wanamaker—38.

Absent or not voting: Senators Drumheller, Keller, Maxwell, Rosellini, Roup, Schroeder, Stinson and Todd—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 106:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., January 26, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 106, entitled: "An Act relating to inheritance taxes, exempting transfers to religious and certain non-profit corporations and associations from the payment of such taxes and amending section 9 of chapter 134 of the Laws of 1931", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.
A. M. MURFIN, *Chairman*.

We concur in this report: F. L. Morgan, James T. Sullivan, W. R. Orndorff, Keibel Murphy, Ralph Metcalf, N. P. Atkinson, Pearl A. Wanamaker, Harold P. Troy, Albert D. Rosellini, Joseph D. Roberts.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

President Meyers assumed the chair.

Senator Malstrom moved the adoption of the following amendment:

Amend section 1, lines 4-5 of the printed bill, same being line 12 of the original bill, strike the words "primarily and chiefly" after the word "conducted" and before the word "for".

On motion of Senator Orndorff, the amendment was laid on the table.

Senator Voyce moved that the bill be re-referred to the Committee on Revenue and Taxation.

On motion of Senator Drumheller, the motion was laid on the table.

Senators Orndorff, Klemgard and Keeler demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 106, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Thomas, Troy and Wanamaker—33.

Those voting nay were: Senators Atkinson, Farquharson, Kerstetter, Kyle, Malstrom, Murphy, Sullivan, Todd and Voyce—9.

Absent or not voting: Senators Duggan, Keller, Maxwell and Roup—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 210:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 210, entitled: "An Act exempting from the payment of inheritance tax gifts, bequests, devises and transfers of property for certain designated purposes and amending section 8 of chapter 134 of the Laws of 1931", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman.*

We concur in this report: Alfred E. Holt, Albert D. Rosellini, Ralph Metcalf, Keibel Murphy, James T. Sullivan, F. L. Morgan, Pearl A. Wanamaker, Harold P. Troy, Joseph D. Roberts, N. P. Atkinson, W. R. Orndorff.

On motion of Senator Copeland, the report of the committee was received and the bill was read the third time.

On motion of Senator Copeland, the following amendment was adopted:

Amend section 1, page 2, line 3 of the printed bill, being page 2, line 10 of the original bill, by striking the period (.) after the word "state", at the end of the section, inserting in lieu thereof a comma (,) and adding the following: "or unless at the date of decedent's death the laws of the state or territory under which such society, corporation, institution or association was organized or existing contained a reciprocal provision under which transfers to such a society, corporation, institution or association organized or existing under the laws of another state or territory were exempted from legacy or succession taxes or death taxes of every character, providing said other state or territory allowed a similar exemption to such a society, corporation, institution or association organized or existing under the laws of another state or territory or foreign state or country."

On motion of Senator Copeland, the following amendment was adopted:

Amend the title by striking the period (.) after the figures "1931", inserting a comma (,) and adding the following: "and providing for reciprocal exemptions for charitable bequests going to other states."

The Secretary called the roll on the final passage of Senate Bill No. 210, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Klemgard, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Troy and Wanamaker—34.

Those voting nay were: Senators Farquharson, Kerstetter, Kyle, Malstrom, Murphy, Sullivan and Voyce—7.

Absent or not voting: Senators Drumheller, Keller, Maxwell, Moe and Roup—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 146:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate Bill No. 146, entitled: "An Act relating to state lands and providing for the elimination of certain tracts from the reservation made by chapter 175 of the Session Laws of 1933," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. L. MORGAN, *Chairman.*

We concur in this report: Monty Percival, Alfred E. Holt, J. P. Keller, Harold P. Troy.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 146, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Absent or not voting: Senators Drumheller, Keller, Maxwell, McMillan and Roup—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator McAulay assumed the chair.

At 1:00 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FORTIETH DAY**MORNING SESSION**

SENATE CHAMBER,
OLYMPIA, WASH., Friday, February 17, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

President Meyers assumed the chair.

Reverend Elmer B. Christie, of the St. John's Episcopal Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

MOTION FOR RECONSIDERATION**Senate Bill No. 231:**

Senator Reardon, having on yesterday given notice that at the proper time today he would move to reconsider the vote by which Senate Bill No. 231 failed to pass the Senate, moved that the Senate now reconsider the vote by which Senate Bill No. 231 failed to pass.

The motion by Senator Reardon carried.

The President announced that the question was on the final passage of Senate Bill No. 231.

Senator Thomas assumed the chair.

On motion of Senator Maxwell, Senate Bill No. 231 was re-referred to the Committee on Liquor Control.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 133, 167 and 210, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Robert T. McDonald, Paul G. Thomas, Joseph D. Roberts.

On motion of Senator Holt, the report of the committee was adopted.

REPORTS OF STANDING COMMITTEES**Senate Bill No. 174:**

The Committee on State Library recommended that Senate Bill No. 174 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Joint Resolution No. 8:

A majority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 8 do pass.

A minority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 8 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Joint Resolution No. 12:

A majority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 12 do pass with certain amendments.

A minority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 12 do not pass.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 25:

A majority of the Committee on Appropriations recommended that House Bill No. 25 do pass.

A minority of the Committee on Appropriations recommended that House Bill No. 25 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 316:

The Committee on Appropriations recommended that Senate Bill No. 316 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 297:

The Committee on Appropriations recommended that Senate Bill No. 297 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 20:

The Committee on State Granted, School and Tide Lands recommended that Senate Bill No. 20 be re-referred to the Committee on Mines and Mining.

Senator Morgan moved that the report be received and the bill be re-referred to the Committee on Mines and Mining.

Senator Reardon moved that the report of the committee be adopted.

The motion by Senator Reardon carried.

House Bill No. 325:

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that House Bill No. 325 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 300:

The Committee on Commerce and Manufacturing recommended that Senate Bill No. 300 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 254:

The Committee on State Penal and Reformatory Institutions recommended that Substitute Senate Bill No. 254 be substituted therefor and that it do pass.

The report of the committee, together with the bill, was placed on general file.

On motion of Senator Reardon, Substitute Senate Bill No. 254 was ordered printed.

House Bill No. 123:

The Committee on Roads and Bridges recommended that House Bill No. 123 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 269:

The Committee on Roads and Bridges recommended that Senate Bill No. 269 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 188:

The Committee on Education recommended that Senate Bill No. 188 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 121:

A part of the Committee on Education recommended that Senate Bill No. 121 do pass.

A part of the Committee on Education reported Senate Bill No. 121 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 185:

The Committee on Liquor Control recommended that Senate Bill No. 185 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 260:

The Committee on Liquor Control recommended that House Bill No. 260 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 204:

The Committee on Federal Relations and Immigration recommended that Senate Bill No. 204 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 110:

The Committee on Horticulture recommended that Engrossed House Bill No. 110 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 57:

A part of the Committee on Roads and Bridges referred Senate Bill No. 57 back to the Senate, reporting the same favorably with the recommendation that it be re-referred to the Committee on Appropriations.

A part of the Committee on Roads and Bridges recommended that Senate Bill No. 57 do not pass.

On motion of Senator Troy, the majority report of the committee was adopted and the bill was re-referred to the Committee on Appropriations.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 33 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 105 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 30, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 126; also House Bill No. 138; also Engrossed House Bill No. 177, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 17, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 189; also Engrossed House Bill No. 201, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

The House refuses to recede from its amendment to Senate Bill No. 50 and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Murfin, the request of the House was granted.

The President appointed as members on a conference committee on House amendment to Senate Bill No. 50 Senators Murfin, Schroeder and Moe.

There being no objection, the appointments stood confirmed.

INTRODUCTION OF BILLS

Senate Bill No. 363, by Senator McAulay, entitled: "An Act providing for the storage and keep of any fish or game lawfully acquired; providing regulations therefor; prescribing penalties; and repealing all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate Bill No. 364, by Senator McAulay, entitled: "An Act relating to hunting and fishing by parties of two or more; providing regulations therefor; and prescribing penalties."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate Bill No. 365, by Senator McAulay, entitled: "An Act relating to foreign game and its importation; providing regulations for its possession; prescribing penalties and repealing all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Game and Game Fish.

Senate Bill No. 366, by Senator Keeler, entitled: "An Act relating to the sale of state lands to school district No. 58 of Clallam County, Washington."

The bill was read the first time, and on motion of Senator Keeler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on State Granted, School and Tide Lands.

Senate Bill No. 367, by Senator Keller, entitled: "An Act relating to public highways, creating and establishing a primary state highway to be known as State Road No. 4, or the Tonasket-San Poil Highway, amending section 4 of chapter 190 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 368, by Senator Troy, entitled: "An Act relating to secondary state highways, extending Secondary State Highway No. 51 and amending section 6 of chapter 207 of the Laws of 1937 (section 6402-6 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 369, by Senator Edwards, entitled: "An Act relating to public highways; providing for the establishment of secondary state highway as a branch of primary state highway No. 1 on Point Roberts; amending section 2 of chapter 207 of the Session Laws of 1937; and declaring an emergency."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 370, by Senators Keller and Kyle, entitled: "An Act for the purpose of providing for the public safety, health, morals and general welfare, for the purpose of promoting the safety and convenience of travel on certain state highways and for eliminating, lessening or regulating distracting hazards, for the purpose of conserving the investment of the state in its highway system, for the purpose of preserving the natural or landscaped and improved scenic assets of the state and for promoting the attractiveness of travel, and providing for regulations to be adopted by a state agency governing the use of land adjacent to certain highways of the state and providing for the enforcement of this act and the disposition of fines and forfeitures collected hereunder."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

House Bill No. 138, by Representative Sherman, entitled: "An Act to provide for the safety of life and property and to create an office of boiler inspection which shall formulate rules and regulations for the safe construction and operation of steam boilers; to provide for exemptions and fees to be charged in the repair of steam boilers; and to provide a penalty for violations of this act."

The bill was read the first time, and on motion of Senator Dawson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Commerce and Manufacturing.

Engrossed House Bill No. 177, by Representative Bienz, entitled: "An Act relating to annual fees by claimants of water power; providing that such fees shall be credited to the reclamation revolving fund; prescribing the duties of the director of the department of conservation and development with respect thereto; and amending section 3 of chapter 105, Laws of 1929 (section 11575-3 of Remington's Revised Statutes of Washington)."

The bill was read the first time, and on motion of Senator Keeler the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

Engrossed House Bill No. 189, by Committee on Dairy and Livestock, entitled: "An Act relating to the dairy industry; declaring the public policy of this state to promote the expansion of the dairy industry by promoting the increased use of dairy products, by providing for research and publicity advertising and sales promotion campaign to increase the consumption of Washington dairy products; levying an assessment on dairy products and providing for its collection; creating a dairy products commission, constituted with state authority and vesting in it the administration of this act; providing for the powers, duties and authority of said commission; providing penalties for the violation of this act; providing for the public welfare; and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Todd the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Livestock.

Engrossed House Bill No. 30, by Representative Henry, entitled: "An Act declaring the promotion of organized legal aid to be in the public interest, defining legal aid bureaus, authorizing their creation, providing for their financing by certain counties and their operation by legal aid county committees and the Washington State Bar Association."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 126, by Representative Moulton, entitled: "An Act relating to irrigation districts, to the authority and duties of the county treasurer and district officers with respect to sales of land for delinquent district assessments and to the issuance of treasurer's deeds therefor, relating to district land titles, to validation of certain deeds heretofore issued in the name of an irrigation district, to district actions to quiet title, to district assessments and tolls and the liens thereof, providing the rate of interest delinquent district assessments shall bear, providing for notice of application for treasurer's deed by private holders of certificates of sale, providing that certain easement rights shall not be included in sales for delinquent district assessments, providing a limitation of actions to set aside and cancel treasurer's deeds issued on account of sales for delinquent district assessments and tolls or to recover lands sold on account of such assessments and tolls, amending chapter 5, Title 48 of Remington's Revised Statutes of Washington by adding thereto a new section to be designated section 7447-1 and amending sections 7448-2 (being section 2, chapter 194, Laws of 1933), 7441, 7442, 7445, 7447 and 7454 of Remington's Revised Statutes of Washington, and repealing all acts or parts of same inconsistent or in conflict with this act or any part of same."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 201, by Representative Lindsay, entitled: "An Act relating to credit unions; limiting the holding any one shareholder may have in such a union; providing for the calculation of interest and for collateral security; and amending chapter 173 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Financial Institutions Other Than Banks.

GENERAL FILE

Senate Bill No. 278:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 278, entitled: "An Act relating to powers and duties of the director of game, and amending section 28 of chapter 3 of the Laws of 1933 (section 5880 of Remington's

Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Geo. F. McAulay, *Chairman*.

We concur in this report: Gordon Klemgard, Robert T. McDonald, A. E. Edwards, J. M. Koontz, J. W. Henderson.

On motion of Senator McAulay the report of the committee was received and the bill was read the third time.

Senator Lovejoy moved the adoption of the following amendment:

Amend section 1, line 24 of the printed bill, same being line 4, page 2 of the original bill. Change period to semicolon and add the following: "Provided further, said right, with the approval of the game commission, may be assigned to another."

On motion of Senator McAulay, the amendment was laid on the table.

The Secretary called the roll on the final passage of Senate Bill No. 278, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Keeler, Keller, Koontz, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Roberts, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Voyce and Wanamaker—30.

Those voting nay were: Senators Dawson, Farquharson, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Morgan, Percival, Reardon, Rosellini, Schroeder, Todd and Troy—14.

Absent or not voting: Senators Holt and Klemgard—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 65:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on Municipal Corporations Other Than First Class, to whom was referred Senate Bill No. 65, entitled: "An Act relating to salaries of officers of cities of the second class and amending section 12, section 20, section 21, section 22 and section 26 of chapter 241 of the Laws of 1907", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CHAS. F. STINSON, *Chairman*.

We concur in this report: F. L. Morgan, Herbert H. Sieler, A. M. Murfin, Thomas Voyce, Clifford O. Moe.

On motion of Senator Stinson, the report of the committee was received and the bill was read the third time.

Senator Sieler moved the adoption of the following amendment:

Amend section 2, same being line 20, page 2 of the original bill, strike the words "two hundred and fifty dollars" and insert "two hundred (\$200) dollars".

On motion of Senator Kyle, the amendment was laid on the table.

Senator Sieler moved the adoption of the following amendment:

Amend section 3, line 13 of the printed bill, same being line 25, page 2 of the original bill, strike "twenty seven hundred dollars (\$2700)" and insert "twenty four hundred (\$2400)."

On motion of Senator Kyle, the amendment was laid on the table.

The Secretary called the roll on the final passage of Senate Bill No. 65, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Farquharson, Ferryman, Holt, Keeler, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Metcalf, Moe, Morgan, Murfin, Murphy, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—27.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Haddon, Henderson, Keller, Klemgard, Koontz, McAulay, McDonald, McMillan, Mills, Orndorff, Percival and Sieler—16.

Absent or not voting: Senators Reardon, Roberts and Roup—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 39:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 9, 1939.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 39, entitled: "An Act relating to the use, sale and growth of narcotic drugs; providing for the treatment of drug addicts; providing penalties for violations of this act and amending sections 2509-2, 2509-3, 2509-4, 2509-7, 2509-11 of Remington's Revised Statutes; and adding sections 2509-15, 2509-16, 2509-17, 2509-18 to Remington's Revised Statutes", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. W. HENDERSON, *Chairman*.

We concur in this report: Robert T. McDonald, Henry J. Copeland, Paul G. Thomas, Geo. A. Lovejoy, G. B. Kerstetter, Lulu D. Haddon.

On motion of Senator Thomas, the report of the committee was received and the bill was read the third time.

Senator Farquharson assumed the chair.

On motion of Senator Maxwell, the following amendment was adopted:

Amend section 1, line 13, page 1 of the original bill, same being section 1, line 6, page 1 of the printed bill by striking the word "*barbital*" and the word "*any*".

On motion of Senator Reardon, the following amendment was adopted:

Amend the bill by adding a new section to be known as Sec. 10 to read as follows: "Sec. 10. This act is necessary for the health, peace and safety of the state of Washington and shall take effect immediately."

On motion of Senator Reardon, the following amendment was adopted:

Amend the title by striking the period (.) and add the following: ", and declaring an emergency."

The Secretary called the roll on the final passage of Senate Bill No. 39, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Absent or not voting: Senators Keeler, Keller, Klemgard, Roberts and Roup—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 101:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 3, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 101, entitled: "An Act relating to appeals to the superior court from decisions of the joint board of the department of labor and industries, and providing for trial by jury as in actions at law," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 10 of the original bill, the same being section 1, line 4 of the printed bill, by adding after the word "law" the following: "In any such appeal the trial shall be *de novo* and the appellant, the department or any other party to the appeal shall be permitted to introduce evidence in court in addition to that contained in the departmental record.", *Chairman*.

We concur in this report: Clifford O. Moe, Harold P. Troy, Leroy L. Todd, F. L. Morgan, H. I. Kyle, Geo. F. McAulay, Albert D. Rosellini, Judson W. Shorett, A. M. Murfin.

Senate Chamber,
Olympia, Wash., February 3, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 101, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Ralph Metcalf.

On motion of Senator Moe, the reports of the committee were received and the bill was read the third time.

President Meyers assumed the chair.

Senator Moe moved the adoption of the committee amendment.

Senators Stinson, Reardon and Keeler demanded the previous question.

The previous question was ordered.

Senators Henderson, Malstrom, Kyle, McAulay, Atkinson, Voyce, Moe and Troy demanded a roll call.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Moe, and it carried by the following vote:

Those voting aye were: Senators Atkinson, Farquharson, Ferryman, Keeler, Kerstetter, Koontz, Kyle, Malstrom, McAulay, McMillan, Moe, Morgan, Murphy, Percival, Rosellini, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—24.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Henderson, Holt, Keller, Klemgard, Lovejoy, Maxwell, McDonald, Metcalf, Mills, Orndorff, Reardon, Roberts and Stinson—17.

Absent or not voting: Senators Bloomer, Edwards, Haddon, Murfin and Roup—5.

Senators Kyle, Reardon and Shorett demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 101, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Drumheller, Farquharson, Ferryman, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Malstrom, Maxwell, McAulay, McDonald, McMillan, Mills, Moe, Morgan, Murphy, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—33.

Those voting nay were: Senators Copeland, Dawson, Duggan, Henderson, Lovejoy, Metcalf, Orndorff, Reardon—8.

Absent or not voting: Senators Bloomer, Edwards, Haddon, Murfin and Roup—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Maxwell gave notice that at the proper time tomorrow, he would move to reconsider the vote by which Senate Bill No. 101 passed the Senate.

Senator Keeler's request that he be excused from the session tomorrow was granted.

Senator Reardon assumed the chair.

The Senate returned to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 17, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 103; also

House Bill No. 108; also

House Bill No. 109; also

House Bill No. 119, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Bills Nos. 103, 108, 109 and 119.

At 1:40 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FORTY-FIRST DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Saturday, February 18, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators McDonald, Ferryman, Had- don and Keeler, who were excused, and Senators Dawson and Drumheller.

Reverend Elmer B. Christie, of the St. John's Episcopal Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Resolution No. 15, by Senators Sieler and Mills: "Provid- ing for the submission of a proposal to amend the Constitution of the State of Washington with respect to the apportionment and districting the mem- bers of the Senate and House of Representatives, and amending section 3 of Article II thereof."

The resolution was read the first time, and on motion of Senator Sieler the rules were suspended, the resolution was read the second time by title, and referred to the Committee on Constitutional Revision.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 17, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 39, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, Harold P. Troy, Joseph D. Roberts, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was adopted.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 255:

A part of the Committee on Judiciary recommended that Senate Bill No. 255 do pass with certain amendments.

A part of the Committee on Judiciary recommended that Senate Bill No. 255 do not pass.

The reports of the committee, together with the bill, were placed on gen- eral file.

Senate Bill No. 224:

The Committee on Judiciary recommended that Senate Bill No. 224 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 178:

The Committee on Judiciary recommended that Senate Bill No. 178 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 116:

The Committee on Judiciary recommended that Senate Bill No. 116 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 8:

The Committee on Judiciary recommended that Engrossed House Bill No. 8 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 342:

The Committee on Banks and Banking recommended that Senate Bill No. 342 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 223:

The Committee on Banks and Banking recommended that Senate Bill No. 223 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 81:

The Committee on Judiciary recommended that Engrossed House Bill No. 81 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 10:

The Committee on Judiciary recommended that Engrossed House Bill No. 10 do pass with an amendment.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 131:

The Committee on Insurance recommended that Senate Bill No. 131 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 132:

The Committee on Dairy and Livestock recommended that House Bill No. 132 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department
Olympia, Wash., February 17, 1939.

To the Honorable, The Senate of the State of Washington.

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

Senate Bill No. 126: "An Act relating to irrigation and reclamation districts and to the prevention of land speculation therein, consenting to, adopting, ratifying, authorizing and enacting the provisions of that certain Act of Congress of May 27, 1937, entitled "An Act to prevent speculation in lands in the Columbia Basin prospectively irrigable by reason of the construction of the Grand Coulee Dam project and to aid actual settlers in securing such lands at the fair appraised value thereof as arid land, and for other purposes" in so far as the provisions of said Federal Act, or any of them, in whole or in part, may come within the scope of state jurisdiction or authority or be applicable to state lands, authorizing and empowering such irrigation and reclamation districts to comply with the provisions of this act, authorizing and directing the inclusion of state lands in such district, the acceptance of the appraisal of state lands under said federal act, and the sale thereof at public auction at not less than such appraised value and in parcels of not more than eighty (80) acres in any one parcel or more than eighty (80) acres to any one person, and providing for cooperation with the Secretary of the Interior in carrying out said act, authorizing boards of county commissioners to contract with the United States to subject county owned lands in any such district to such act of Congress upon the terms agreed upon in such contract, providing that each section and provision of the act is separable from every other and no part thereof to be held invalid on account of the unconstitutionality of any other part, repealing all laws or parts of same inconsistent or in conflict herewith, and providing that this act shall take effect immediately."

Senate Bill No. 125: "An Act relating to irrigation districts comprising an area of two hundred thousand (200,000) or more acres of land, providing for dividing such districts into director divisions and for the election of directors for such divisions, on the board of directors of the irrigation district, limiting the amounts of district assessments which may be levied in any director division thereof in any one calendar year to two cents per acre under the conditions specified therein, repealing all laws or parts of same inconsistent or in conflict herewith, and providing that this act shall take effect immediately."

Very truly yours,

RICHARD HAMILTON,
Secretary to the Governor.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 17, 1939.

MR. PRESIDENT:

The Speaker has appointed Representatives Sherman, Armstrong and Woodall as House members on the conference committee on Senate Bill No. 50 and the House amendment thereto.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 17, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 33; also House Bill No. 105, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 18, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 104; also House Bill No. 235; also House Bill No. 285; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate Bill No. 371, by Senator Roberts, entitled: "An Act relating to Big Tree State Park, authorizing the disposition thereof by the state parks committee, creating the Federation park fund and providing therefor, making an appropriation and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Parks and Playgrounds.

Senate Bill No. 372, by Senator Wanamaker, entitled: "An Act relating to group life insurance and repealing chapter 300 of the Laws of 1927 and chapter 129 of the Laws of 1929."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Insurance.

Senate Bill No. 373, by Senator Henderson (By Request), entitled: "An Act providing that medical examination shall be required of applicants for marriage licenses; requiring and defining tests to be included in such medical examinations; providing for the issuance and filing of medical certificates; limiting the valid time period of marriage licenses; providing for exception by court order; prescribing penalties for violations; and providing for the act to take effect January 2, 1940."

The bill was read the first time, and on motion of Senator Henderson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Sieler, the usual number of copies of Senate Bill No. 373 were ordered printed.

Senate Bill No. 374, by Senator Henderson (By Request), entitled: "An Act relating to the prevention of congenital syphilis; to take effect January 2, 1940."

The bill was read the first time, and on motion of Senator Henderson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

On motion of Senator Henderson, the usual number of copies of Senate Bill No. 374 were ordered printed.

Senate Bill No. 375, by Senator Schroeder (By Departmental Request), entitled: "An Act relating to the state forest board and the members thereof, and amending section 1 of chapter 118 of the Laws of 1933 (section 5812-1 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered

printed, and referred to the Committee on Forestry and Logged-Off Lands.

On motion of Senator Kyle, the usual number of copies of Senate Bill No. 375 were ordered printed.

Senate Bill No. 376, by Senator Moe (By Departmental Request), entitled: "An Act relating to irrigation districts comprising 200,000 or more acres of land within their boundaries and to elections in such districts called and held to vote on proposed contracts between the district and the United States or any agency thereof where such contracts include provisions in accordance with the Act of Congress of May 27, 1937 (50 Stat. 208)."

The bill was read the first time, and on motion of Senator Moe, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

On motion of Senator Moe, the usual number of copies of Senate Bill No. 376 were ordered printed.

Senate Bill No. 377, by Senator Troy, entitled: "An Act making an appropriation for the relief and benefit of Mark Edward Klobucher."

The bill was read the first time, and on motion of Senator Troy, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate Bill No. 378, by Senators Kyle and McMillan, entitled: "An Act relating to electrical installations and repealing chapter 169 of the Laws of 1935."

The bill was read the first time, and on motion of Senator Kyle, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Labor and Labor Statistics.

Senate Bill No. 379, by Senator Duggan, entitled: "An Act relating to banks and banking and trust companies and authorizing banks to pledge or hypothecate assets to secure deposits of funds."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Banks and Banking.

Senate Bill No. 380, by Senators Reardon and Lovejoy, entitled: "An Act providing for the survey and study of a low level tunnel for travel through the Cascade Mountains connecting the eastern and western portions of the state; creating a tunnel commission and defining its powers and duties; and making an appropriation."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

President Meyers assumed the chair.

Senate Bill No. 381, by Senator Farquharson, entitled: "An Act relating to the bald or American eagle (*haliaetus leucocephalus*), prohibiting the hunting, snaring, trapping, killing, or attempt to kill the same, and providing a penalty."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Game and Game Fish.

Senate Bill No. 382, by Senator Edwards, entitled: "An Act relating to the taking and reduction of pilchards, amending section 1, chapter 137, Laws of 1935 (section 5721-1, Remington's Revised Statutes) and providing penalties for the violation hereof, and declaring that this act shall take effect January 1, 1940."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Fisheries.

Senate Bill No. 383, by Senator Morgan (By Request), entitled: "An Act authorizing fourth class cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate fishing fleet base and docks, ice plants, cold storage plants, ice and cold storage plants, systems of sewerage, and systems and plants for collection and disposal of refuse; providing for the payment therefor by bonds; providing for the collection of special rental and service charges, and other charges therefor; amending sections 1, 2, 3, 4, 5 and 6 of chapter 39 of the Laws of 1931, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations Other Than First Class.

On motion of Senator Kyle, the usual number of copies of Senate Bill No. 383 were ordered printed.

Senate Bill No. 384, by Senator Schroeder, entitled: "An Act providing for the collection, exhibition and maintenance of the resources, extent and products of the poultry industry of the state of Washington at the Seventh World's Poultry Congress and Exposition to be held at Cleveland, Ohio, in the year 1939, making an appropriation therefor, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

Engrossed House Bill No. 104, by Representative Lauman, entitled: "An Act amending section 6 of chapter 81 of the Laws of 1915, the same being section 6949 of Remington's Revised Statutes (section 2820, Pierce's Code), to provide for commitment and transfer of veterans to certain veterans' administration facilities."

The bill was read the first time, and on motion of Senator Percival the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Charitable Institutions.

House Bill No. 235, by Representative Cowen, entitled: "An Act designating and officially naming an existing park road within Riverside State Park the Aubrey L. White Parkway."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Parks and Playgrounds.

House Bill No. 285, by Committee on State Grants, School and Tide Lands (By Departmental Request), entitled: "An Act relating to rights of way over state lands and amending section 85, chapter 255, of the Session Laws of 1927."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

The President signed House Bill No. 33, also House Bill No. 105.

GENERAL FILE

Senate Bill No. 83:

On motion of Senator Bloomer, Senate Bill No. 83 was re-referred to the Committee on Industrial Insurance.

Senate Bill No. 258:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 11, 1939.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate Bill No. 258, entitled: "An Act relating to mining claims, and providing that the interest of the owner of the possessory right in mining claims shall be considered real property," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. CLIFFORD O. MOE, *Chairman*.

We concur in this report: D. E. McMillan, Thomas Voyce, Fred S. Duggan, J. M. Koontz.

On motion of Senator Moe, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 258, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Duggan, Edwards, Farquharson, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—32.

Those voting nay were: Senator McAulay—1.

Absent or not voting: Senators Copeland, Dawson, Drumheller, Ferryman, Haddon, Keeler, Klemgard, Maxwell, McDonald, Roup, Shorett, Sieler and Stinson—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Joint Memorial No. 8:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate Joint Memorial No. 8, "Relating to the allotment of a regiment of anti-aircraft artillery to the state of Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. W. R. ORNDORFF, *Chairman*.

We concur in this report: Gordon Klemgard, Chapin A. Mills, Mary Farquharson, Ted F. Schroeder, James T. Sullivan.

On motion of Senator Orndorff, the report of the committee was received and the memorial was read the third time.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd and Wanamaker—31.

Absent or not voting: Senators Copeland, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Haddon, Keeler, Klemgard, Maxwell, McAulay, McDonald, Shorett, Troy and Voyce—15.

The memorial, having received the constitutional majority, was declared passed.

Senate Bill No. 9:

On motion of Senator Orndorff, it was ordered that Senate Bill No. 9 retain its place on the calendar for Tuesday.

Senate Bill No. 74:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 74, entitled: "An Act relating to trespass upon enclosed and cultivated lands, providing penalties therefor, amending Chapter 139 of the Session Laws of 1913, and adding a new section thereto," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, page 1, line 12 of the original bill, the same being section 1, line 5 of the printed bill, by striking the words "or fishing".

Amend section 2, page 1, line 25, to page 2, line 5, of the original bill, the same being section 2, lines 16 to 24 of the printed bill, by striking all that part following the words "Section 2" and inserting in lieu thereof the following: "*In case of the conviction of any person for violation of the provisions set forth in section 1 of this act, the judge of the court shall, in addition to any other penalties imposed, revoke the license of the person so found guilty, and prohibit the issuance of any new license to the person so convicted for a period of one year following the expiration of the year for which the license then held was issued. The court shall also take up the license of the convicted person and notify the director of game of the revocation of said license and forward said license to the said director of game. The director of game shall keep a list of all licenses thus revoked and furnish a list of the said licenses to all of the game enforcement officers of the state and to all persons authorized to issue game licenses; and no license shall be issued to the person so found guilty during the next calendar year following the revocation thereof.*"

GEO. F. McAULAY, Chairman.

We concur in this report: D. E. McMillan, J. W. Henderson, Ted F. Schroeder, Clifford O. Moe, J. M. Koontz, A. E. Edwards.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

On motion of Senator McAulay, the committee amendment to section 1 was adopted.

Senator McAulay moved the adoption of the committee amendment to section 2.

Senator Morgan moved that the Senate reconsider the vote by which the first committee amendment was adopted.

Senator Kyle moved that the bill be re-referred to the Judiciary Committee.

Senator McAulay moved that the motion by Senator Kyle be laid on the table.

The motion failed to carry.

The motion by Senator Kyle carried.

Senate Bill No. 343, by Committee on Agriculture, entitled: "An Act declaring the policy of the legislature with regard to conserving soil resources and preventing and controlling soil erosion; establishing the state soil conservation committee and defining its powers and duties; providing for the creation of governmental subdivisions within the state to be known as soil conservation districts; providing for the discontinuance of such soil conservation districts; defining the powers and duties of soil conservation districts and providing for the exercise of such powers, including the power to acquire property by purchase, gift and otherwise; empowering such districts to adopt programs and regulations for the discontinuance of land-use practices contributing to soil wastage and soil erosion, and empowering such districts to adopt programs and regulations for the carrying out of soil-conserving land-use practices, and providing for the enforcement of such programs and regulations; providing for the establishment of boards of adjustment in connection with land-use regulations and defining their functions and powers; and declaring that this act shall take effect immediately", was read the third time.

Senator Keller assumed the chair.

Senators Orndorff, Moe and Reardon demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 343, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Absent or not voting: Senators Dawson, Drumheller, Ferryman, Haddon, Keeler, Maxwell, McDonald and Shorett—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 166:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 166, entitled: "An Act relating to taxation of property, and amending section 52 of Chapter 130 of the Laws of Extraordinary Session of 1925," have had the

same under consideration, and we respectfully report the same back to the Senate without recommendation.

A. M. MURFIN, *Chairman*.

We concur in this report: Harold P. Troy, Ralph Metcalf, Albert D. Rosellini, Keble Murphy, N. P. Atkinson, Keiron W. Reardon.

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, a part of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 166, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman*.

We concur in this report: F. L. Morgan, W. R. Orndorff, Alfred E. Holt, Joseph D. Roberts.

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, a part of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 166, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: Pearl A. Wanamaker, James T. Sullivan.

The bill was read the third time.

On motion of Senator Murfin, Senate Bill No. 166 was re-referred to the Committee on Revenue and Taxation.

Senate Bill No. 75:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 75, entitled: "An Act authorizing and directing the director of highways to make survey and estimate for relocation and realignment of a portion of State Road No. 5, a primary state highway in King County," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman*.

We concur in this report: H. I. Kyle, Thomas Voyce, Ted F. Schroeder, Clifford O. Moe, W. R. Orndorff, Lulu D. Haddon, T. C. Bloomer, J. W. Henderson, J. M. Koontz, Howard Roup, C. F. Stinson.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 75, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Henderson, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Absent or not voting: Senators Bloomer, Ferryman, Haddon, Holt, Keeler, Koontz, McDonald and Shorett—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Meyers assumed the chair.

On motion of Senator Atkinson, 300 extra copies of Senate Bill No. 168 were ordered printed.

At 12:00 o'clock noon, on motion of Senator Orndorff, the Senate adjourned until Monday, February 20th, 1939, at 11:00 o'clock a. m.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FORTY-THIRD DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Monday, February 20, 1939.

The Senate was called to order at 11:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Ferryman, who was excused.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant-Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Samuel Everton, of the Central Baptist Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

SENATE RESOLUTION

By Senator Roberts:

WHEREAS, a state or nation is no greater than its cultural development, and

WHEREAS, with all the beauty and natural resources in the State of Washington, it is only right and proper that art should keep abreast of the state's various developments, and

WHEREAS, to that end, Alonzo Victor Lewis, the celebrated sculptor, has devoted twenty years of his life to the furtherance of his art in this state, and

WHEREAS, Mr. Lewis, who is rated among the foremost sculptors in America, has his studio in Seattle, and

WHEREAS, among his many works of art in the State of Washington are: the Lincoln statue, in Spokane; the Lincoln statue, in Tacoma; the Ezra Meeker pioneer statue, in Puyallup; the Washington memorial, in Centralia; the "Doughboy" statue in Seattle;

and the impressive thirteen-ton World War memorial on the capitol grounds in Olympia (six years of effort were expended and eighteen tons of clay were used in its creation—it being the largest similar group in the world and is acclaimed a masterpiece of sculptural art);

Now, THEREFORE, BE IT RESOLVED, that the Senate of the State of Washington in legislative session assembled, confer upon Alonzo Victor Lewis, the honorary title of "sculptor laureate" of the State of Washington.

On motion of Senator Roberts, the resolution was adopted.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 18, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 101, have compared same with the original bill and find it correctly engrossed. Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Joseph D. Roberts, Paul G. Thomas.

On motion of Senator Holt, the report was adopted.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 379:

The Committee on Banks and Banking recommended that Senate Bill No. 379 do pass.

The report of the committee, together with the bill, was placed on general file.

House Joint Memorial No. 8:

A majority of the Committee on Memorials recommended that House Joint Memorial No. 8 do pass.

A minority of the Committee on Memorials recommended that House Joint Memorial No. 8 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Joint Memorial No. 10:

The Committee on Memorials recommended that Senate Joint Memorial No. 10 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Joint Memorial No. 11:

The Committee on Memorials recommended that Senate Joint Memorial No. 11 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 101:

The Committee on Education recommended that House Bill No. 101 do pass. The report of the committee, together with the bill, was placed on general file.

INTRODUCTION OF BILLS

Senate Bill No. 385, by Committee on Elections and Privileges, entitled: "An Act relating to election laws, providing for the complete codification thereof, and making an appropriation."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate Bill No. 386, by Senator Maxwell, entitled: "An Act relating to water districts, and providing for the supervision and regulation thereof."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate Bill No. 387, by Committee on Harbors and Waterways, entitled: "An Act relating to port districts and amending section 1, chapter 133, Laws of 1935 (section 9691A-1, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Thomas the rules were suspended, the bill was read the second time by title, ordered printed, and placed on general file.

GENERAL FILE

Senate Bill No. 28:

On motion of Senator Maxwell, Senate Bill No. 28 was referred to the Committee on Appropriations.

Senate Bill No. 228:

On motion of Senator Maxwell, Senate Bill No. 228 was referred to the Committee on Appropriations.

Senate Bill No. 113:

On motion of Senator Murfin, Senate Bill No. 113 was re-referred to the Committee on Revenue and Taxation.

Senate Bill No. 225:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 225, entitled: "An Act relating to fees to be paid persons, firms and corporations subject to regulations by the department of public service, and amending sections 1, 3, and 4 of chapter 158 of the Laws of 1937, and declaring that this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the title by striking the words "and declaring that this act shall take effect immediately".

Amend section 1, lines 15 and 16, page 1 of the printed bill, being section 1, line 23, page 1 of the original bill, by striking the following: " * * * * ten dollars" and inserting in lieu thereof the following: "one dollar".

Amend section 1, line 22, page 1 of the printed bill, being section 1, line 1, page 2 of the original bill, by striking the words "electric railroad companies".

Amend section 1, line 23, page 1 of the printed bill, being section 1, line 3, page 2 of the original bill, by inserting after the words "Class Two." the following sentence: "Every other person, firm or corporation subject to regulation by the department, for whom regulatory fees are not otherwise fixed by law, shall pay fees in accordance with the provisions of this section, and shall constitute additional classes according to kinds of businesses."

Amend section 3, line 33, page 2 of the printed bill, being section 3, line 17, page 3 of the original bill, by inserting after the word "group." the following sentence: "The department shall also collect the following miscellaneous fees: Application for a certificate of public convenience and necessity, or to amend certificate, \$50.00; application to sell, lease, mortgage or transfer certificate or any interest therein, \$10.00."

Amend section 4. by striking the whole thereof. FRED S. DUGGAN, *Chairman*.

We concur in this report: Albert D. Rosellini, F. L. Morgan, H. I. Kyle, Clifford O. Moe, A. M. Murfin, Leroy L. Todd, Ralph Metcalf.

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 225, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: Harold P. Troy.

On motion of Senator Duggan, the reports of the committee were received and the bill was read the third time.

On motion of Senator Duggan, the majority committee amendments to section 1 were adopted.

On motion of Senator Reardon, Senate Bill No. 225 was re-referred to the Committee on Judiciary.

Senate Bill No. 269:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 269, entitled: "An Act making an appropriation for the maintenance, repair, improvements of the streets of the city of Grand Coulee, and declaring this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman*.
T. C. BLOOMER, *Vice-Chairman*.

We concur in this report: Thomas Voyce, Harold P. Troy, W. R. Orndorff, Ted F. Schroeder, J. M. Koontz, J. W. Henderson, Clifford O. Moe, Herbert H. Sieler, Geo. F. McAulay, Lulu D. Haddon, H. I. Kyle.

On motion of Senator Maxwell, the report of the committee was received and the bill was read the third time.

On motion of Senator Maxwell, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 269.

The bill was considered in the committee of the whole, Senator Lovejoy in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Lovejoy, the report of the committee of the whole was adopted.

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 269, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murphy, Orndorff, Percival, Reardon, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Those voting nay were: Senators Morgan and Rosellini—2.

Absent or not voting: Senators Drumheller, Ferryman, Keller, Murfin and Roberts—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

RECONSIDERATION

Senate Bill No. 225:

Senator Duggan moved to reconsider the vote by which Senate Bill No. 225 was re-referred to the Committee on Judiciary.

The motion carried.

The motion by Senator Reardon that Senate Bill No. 225 be re-referred to the Committee on Judiciary failed to carry.

On motion of Senator Duggan, the majority committee amendments to section 3 were adopted.

On motion of Senator Duggan, the majority committee amendment to section 4 was adopted.

On motion of Senator Duggan, the majority committee amendment to the title was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 225, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Absent or not voting: Senators Drumheller, Ferryman, Keller, Klemgard and Roberts—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 178:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 178, entitled: "An Act providing for the filing of chattel mortgages in the county to which mortgaged chattels are removed, defining the effect of failure so to do, and amending section 1988 of chapter CXLI of the Code of 1881," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Albert D. Rosellini, F. L. Morgan, Herbert H. Sieler, Judson W. Shorett, H. I. Kyle, Leroy L. Todd, Ralph Metcalf, Clifford O. Moe, Earl Maxwell.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 178, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Ferryman, Haddon, Klemgard and Roberts—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 61:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 61, entitled: "An Act relating to the incorporation of insurance companies, and amending section 85 of chapter 49 of the Laws of 1911," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman*.

We concur in this report: Geo. A. Lovejoy, W. R. Orndorff, C. F. Stinson, Keel Murphy, Albert D. Rosellini, H. I. Kyle.

On motion of Senator McDonald, the report of the committee was received and the bill was read the third time.

On motion of Senator Orndorff the following amendment was adopted:

Amend section 1, line 26, page 1 of the printed bill, after the words "amount of the" and before the word "premium" insert the word "annual".

The Secretary called the roll on the final passage of Senate Bill No. 61, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Drumheller, Edwards, Holt, Keeler, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Murfin,

Orndorff, Percival, Roberts, Rosellini, Roup, Stinson, Troy and Wanamaker—21.

Those voting nay were: Senators Atkinson, Duggan, Farquharson, Henderson, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Morgan, Murphy, Reardon, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd and Voyce—19.

Absent or not voting: Senators Dawson, Ferryman, Haddon, Keller, Klemgard, McMillan—6.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Lovejoy gave notice that at the proper time tomorrow he would move for reconsideration of the vote by which Senate Bill No. 61 failed to pass the Senate.

Senate Bill No. 220:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 8, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 220, entitled: "An Act providing for the regulation of field trials for hunting dogs and providing penalty for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

GEO. F. McAULAY, *Chairman.*

We concur in this report: J. W. Henderson, Gordon Klemgard, J. M. Koontz, A. E. Edwards, Robert T. McDonald.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 220, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd and Wanamaker—37.

Those voting nay were: Senators Maxwell, Murphy and Troy—3.

Absent or not voting: Senators Drumheller, Ferryman, Haddon, Keller, Roup and Voyce—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 36:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 36, entitled: "An Act providing a special proceeding for the recovery of possession of real property unlawfully detained where the agreed rent or the rental value thereof does not exceed \$50.00," have had the same under consideration, and we respectfully

report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend line 2, of the title of the printed bill, the same being line 3 of the title of the original bill, by striking "\$50.00." and inserting in lieu thereof the following: "\$25.00 per month."

Amend section 4, lines 22 and 23, page 1 of the printed bill, the same being section 4, lines 3 and 4, page 2, of the original bill, by striking everything between the words "cause" and "after" and inserting in lieu thereof ", not more than ten days".

Amend section 4, line 23, page 1, of the printed bill, the same being section 4, line 5, page 2, of the original bill, by striking the comma (,) following the word "order" and inserting in lieu thereof a period (.)

Amend section 4, line 23, page 1, of the printed bill, the same being section 4, line 5, page 2, of the original bill, by striking the word "a" between the words "order" and "copy" and inserting in lieu thereof "A".

Amend section 4, line 25, page 1, of the printed bill, the same being section 4, line 7, page 2, of the original bill, by inserting between the words "defendant" and "in" the following: "not less than five days prior to the time fixed for hearing,".

Amend section 1, line 8, page 1, of the original bill, the same being section 1, line 2, page 1, of the printed bill, by striking "\$50.00" and inserting in lieu thereof "\$25.00".

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Mary Farquharson, Herbert H. Sieler, Geo. F. McAulay, Ralph Metcalf.

Senate Chamber,
Olympia, Wash., February 7, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 36, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation. *Chairman*.

We concur in this report: Albert D. Rosellini, F. L. Morgan, H. I. Kyle, Leroy L. Todd, Harold P. Troy.

On motion of Senator Duggan, the reports of the committee were received and the bill was read the third time.

On motion of Senator Duggan, the majority committee amendment to section 1 was adopted.

On motion of Senator Duggan, the majority committee amendments to section 4 were adopted.

On motion of Senator Duggan, the majority committee amendment to the title was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 36, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Roup, Schroeder, Shorett, Sieler, Stinson and Wanamaker—31.

Those voting nay were: Senators Atkinson, Kyle, Malstrom, Moe, Morgan, Murphy, Rosellini, Sullivan, Thomas, Todd, Troy and Voyce—12.

Absent or not voting: Senators Drumheller, Ferryman and Roberts—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Kerstetter gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 36 passed the Senate.

Senate Bill No. 202:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 202, entitled: "An Act relating to public highways; providing for the survey and location of a primary state highway in connection Primary State Highway No. 15 to provide the most feasible route connecting with Seattle," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman.*

We concur in this report: Ted F. Schroeder, H. I. Kyle, Lulu D. Haddon, Thomas Voyce, W. R. Orndorff, J. W. Henderson, T. C. Bloomer, J. M. Koontz, Howard Roup, Clifford O. Moe, C. F. Stinson.

On motion of Senator Keller, the report of the committee was received and the bill was read the third time.

Senator Wanamaker moved that Senate Bill No. 202 be referred to the Committee on Roads and Bridges.

On motion of Senator Keller, the motion was laid on the table.

Senators Murfin, Keller and Farquharson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 202, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Drumheller, Duggan, Edwards, Farquharson, Haddon, Holt, Keeler, Keller, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sullivan, Thomas, Voyce and Wanamaker—30.

Those voting nay were: Senators Copeland, Dawson, Henderson, Kerstetter, Koontz, McAulay, Metcalf, Mills, Reardon, Sieler and Todd—11.

Absent or not voting: Senators Ferryman, Moe, Schroeder, Stinson and Troy—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Wanamaker gave notice that at the proper time tomorrow she would move for reconsideration of the vote by which Senate Bill No. 202 passed the Senate.

On motion of Senator Drumheller, the Senate granted the request of the President for unanimous consent to appoint Senators Murfin, Schroeder and Kyle as members of the Conference Committee on Senate Bill No. 50, in lieu of the Committee heretofore appointed.

On motion of Senator Drumheller, the committee appointment was confirmed.

The Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 6, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

At 1.20 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. MCCROSKEY, *Secretary of the Senate.*

FORTY-FOURTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Tuesday, February 21, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant-Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Samuel Everton, of the Central Baptist Church of Olympia, offered prayer.

On motion of Senator Todd, the reading of the journal of the previous day was dispensed with and it was approved.

MOTION FOR RECONSIDERATION
Senate Bill No. 61:

Senator Lovejoy, having given notice yesterday that at the proper time today he would move for a reconsideration of the vote by which Senate Bill No. 61 failed to pass the Senate, moved that the Senate now reconsider the vote by which Senate Bill No. 61 failed to pass the Senate.

The motion by Senator Lovejoy carried.

On motion of Senator Lovejoy, the following amendment was adopted.

Amend section 1, line 30, page 2 of the original bill, being section 1, line 17, page 2 of the printed bill, after the words "definite time" strike the words "or perpetually" and add the following: ", not exceeding 50 years".

The Secretary called the roll on the final passage of Senate Bill No. 61, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Those voting nay were: Senators Atkinson, Kerstetter, McAulay and Reardon—4.

Absent or not voting: Senators Haddon, Moe and Stinson—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION

Senate Bill No. 36:

Senator Kerstetter, having on yesterday given notice that at the proper time today he would move for a reconsideration of the vote by which Senate Bill No. 36 passed the Senate, moved that the Senate now reconsider the vote by which Senate Bill No. 36 passed the Senate yesterday.

On motion of Senator Orndorff, the motion was laid on the table.

The Secretary read:

House Concurrent Resolution No. 6, By Representative Fry: "Relating to a return ball to be given by the legislature."

On motion of Senator Reardon, House Concurrent Resolution No. 6 was adopted.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 146, also Engrossed House Bill No. 257, also Engrossed House Bill No. 289, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

REPORTS OF STANDING COMMITTEES

Engrossed House Bill No. 148:

A majority of the Committee on Banks and Banking recommended that Engrossed House Bill No. 148 do pass as amended.

A part of the Committee on Banks and Banking recommended that Engrossed House Bill No. 148 do not pass.

A part of the Committee on Banks and Banking reported Engrossed House Bill No. 148 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 2:

The Committee on Education recommended that House Bill No. 2 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 231:

The Committee on Liquor Control recommended that Senate Bill No. 231 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 113.

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 113 do pass with certain amendments.

A minority of the Committee on Revenue and Taxation recommended that Senate Bill No. 113 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 207:

The Committee on Revenue and Taxation recommended that Senate Bill No. 207 do pass with certain amendments.

The report of the committee, together with the bill, was placed on file.

Senate Bill No. 83:

A part of the Committee on Industrial Insurance recommended that Senate Bill No. 83 do pass as amended.

A part of the Committee on Industrial Insurance recommended that Senate Bill No. 83 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 225, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Harold P. Troy, Paul G. Thomas, Joseph D. Roberts.

On motion of Senator Holt, the report of the committee was adopted.

INTRODUCTION OF BILLS

Senate Bill No. 388, by Senators McAulay and Shorett, entitled: "An Act providing for annexing county territory to a nearby county to which it is contiguous, amending section 2 and section 8 of chapter CXLIV (144) of the Laws of 1891, and repealing section 1 and section 10 of chapter CXLIV (144) of the Laws of 1891."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Counties and County Boundaries.

Senate Bill No. 389, by Committee on State Granted, School and Tide Lands, entitled: "An Act relating to certain state lands and authorizing an adjustment in the contract for the purchase thereof."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed, and placed on general file.

Senate Bill No. 390, by Committee on State Granted, School and Tide Lands, entitled: "An Act relating to rivers, lakes and bodies of water, empowering the commissioner of public lands to determine the navigability thereof, and declaring the status of such waters."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed, and placed on general file.

Senate Bill No. 391, by Senator Keller, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for testing laboratory site and equipment, including the purchase and improvement of land and the erection of buildings, including the necessary salaries and wages incident thereto, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate Bill No. 392, by Senator Keller, entitled: "An Act appropriating a certain sum from the motor vehicle fund for administration by the director of highways of federal funds allotted to the state, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate Bill No. 393, by Senator Keller, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for capital outlay, including the purchase and improvement of lands and erection of buildings, including the necessary salaries and wages incident thereto, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate Bill No. 394, by Senator Keller, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for salaries, operations, administration, construction, reconstruction, location, alteration, repair, improvement and maintenance of secondary state highways, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate Bill No. 395, by Senator Keller, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for location, right of way, engineering, improvement, construction, reconstruction and maintenance of county roads and city streets, and for the director of highways, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate Bill No. 396, by Senator Keller, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for location, right of way, engineering, improvement, construction and reconstruction of primary state highways, including the construction of bridges to form a part of primary state highways, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate Bill No. 397, by Senator Holt, entitled: "An Act relating to public highways; establishing, designating and describing secondary state highways as branches of Primary State Highway No. 6, and amending section 7 of chapter 207 of the Laws of 1937 (section 6402-7 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate Bill No. 398, by Senator Troy, entitled: "An Act providing for the modification of orders, judgments, or decrees in divorce cases, relating to the support of minor children, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate Bill No. 399, by Senator Reardon, entitled: "An Act relating to intoxicating liquor, and providing that the liquor control board may ban the sale or distribution of wines from other states which discriminate against products from this state."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Liquor Control.

Senate Bill No. 400, by Senator Maxwell, entitled: "An Act appropriating the sum of fifty-eight thousand dollars (\$58,000), or so much thereof as may be necessary for the expenses of the twenty-sixth legislature and declaring an emergency."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, and ordered printed.

Senator Maxwell moved that the rules be suspended and that Senate Bill No. 400 be placed on final passage.

The motion carried.

Senator Reardon assumed the chair.

On motion of Senator Maxwell, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 400.

The bill was considered in the committee of the whole, Senator McAulay in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator McAulay, the report of the committee of the whole was adopted.

Senator Maxwell moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Drumheller, Orndorff and Shorett demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 400, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Those voting nay were: Senators Dawson, Holt, Mills, Morgan, Sieler and Stinson—6.

Absent or not voting: Senators Moe and Schroeder—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Maxwell, the rules were suspended, and Senate Bill No. 400 was ordered immediately transmitted to the House.

President Meyers assumed the chair.

Senate Bill No. 401, by Senator Maxwell, entitled: "An Act relating to pilots and pilotage; decreasing the rates charged thereby; putting an age limit thereon; providing a minimum number of licenses therefor; and amending sections 5 and 8 of chapter 18 of the Laws of 1935 (sections 9871-5 and 9871-8 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, and ordered printed.

The President announced that Senate Bill No. 401 would be referred to the Committee on Judiciary.

Senator Thomas moved that Senate Bill No. 401 be referred to the Committee on Harbors and Waterways.

Senator Dawson moved that Senate Bill No. 401 be referred to the Committee on Commerce and Manufacturing.

Senator Kyle moved that the motion by Senator Dawson be laid on the table.

The motion failed to carry.

Senator Malstrom moved that Senate Bill No. 401 be referred to the Committee on Labor and Labor Statistics.

Senator Klemgard moved that the motion by Senator Malstrom be laid on the table.

The motion failed to carry.

The President announced that the question now is whether Senate Bill No. 401 shall be referred to the Committee on Labor and Labor Statistics.

The motion by Senator Malstrom carried.

The President announced that Senate Bill No. 401 was referred to the Committee on Labor and Labor Statistics.

Senate Bill No. 402, by Senator Murphy, entitled: "An Act relating to the payment of salaries of judges of the superior court, amending section 2, chapter 30, Laws of 1893, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Compensation and Fees for State and County Officers.

Senate Bill No. 403, by Senator Edwards, entitled: "An Act changing the name of 'The State Custodial School' to 'The Eastern State Custodial School', and declaring this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on State Charitable Institutions.

Engrossed House Bill No. 146, by Representative Kinnear (George C.), entitled: "An Act relating to the collection of taxes; validating certain agreements heretofore executed for the payment of delinquent real property taxes in installments; and declaring an emergency."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

Engrossed House Bill No. 257, by Representative Kehoe, entitled: "An Act creating a state library commission and prescribing its powers and duties; and providing that this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Malstrom the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Library.

Engrossed House Bill No. 289, by Committee on Forestry and Logged-off Lands (By Departmental Request), entitled: "An Act authorizing certain state departments, institutions and offices to cooperate with the government of the United States under the Clarke-McNary Act of Congress, approved June 7, 1924, and under the Cooperative Farm Forestry Act of Congress, approved May 18, 1937, and to receive and disburse funds appropriated by Congress, to be used under said acts, and declaring an emergency."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, and referred to the Committee on Forestry and Logged-off Lands.

GENERAL FILE

Senate Bill No. 121:

On motion of Senator Maxwell, Senate Bill No. 121 was re-referred to the Committee on Appropriations.

Senate Bill No. 169:

On motion of Senator Drumheller, Senate Bill No. 169 was re-referred to the Committee on Appropriations.

Senate Bill No. 174:

On motion of Senator Drumheller, Senate Bill No. 174 was re-referred to the Committee on Appropriations.

Senate Bill No. 331:

On motion of Senator Drumheller, Senate Bill No. 331 was re-referred to the Committee on Appropriations.

House Bill No. 132:

On motion of Senator Drumheller, House Bill No. 132 was re-referred to the Committee on Appropriations.

Senate Bill No. 254:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate Bill No. 254, entitled: "An Act relating to crimes, the granting and regulating of probation, creating probation officers, suspension of imposition and execution of sentence, dismissal of information or indictment in certain cases, and repealing section 6 of chapter 114 of the Laws of 1935 and substituting this act therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 254, entitled: "An Act relating to crimes, the granting and regulating of probation, creating probation officers, permitting suspension of imposition and execution of sentences, dismissal of information or indictment in certain cases; amending chapter 114, Laws of 1935, being sections 10249-1 to 8 both inclusive, Remington's Revised Statutes; repealing section 6, chapter 114, Laws of 1935, being section 10249-6, Remington's Revised Statutes; and declaring an emergency.", be substituted therefor and that it do pass.

KEIRON W. REARDON, *Chairman.*

We concur in this report: Lulu D. Haddon, Ted F. Schroeder, Henry J. Copeland, Monty Percival.

On motion of Senator Reardon, the report of the committee was adopted.

Substitute Senate Bill No. 254 was read the third time.

Senator Morgan moved the adoption of the following amendment:

Amend section 4, lines 4-5, page 3 of the printed bill, same being lines 11-13, page 4 of the original bill, by striking the said section.

Senator Rosellini moved that the amendment offered by Senator Morgan be laid on the table.

The motion by Senator Rosellini lost.

The President announced the question to be on the adoption of the amendment.

The motion by Senator Morgan failed to carry.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 254, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Those voting nay were: Senator Murphy—1.

Absent or not voting: Senators Drumheller and Klemgard—2.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 101:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Engrossed House Bill No. 101, entitled: "An Act relating to schools and declaring November 11 to be a school holiday; providing for the suitable observance thereof in the schools of the state; amending section 4899 of Remington's Revised Statutes; and providing for the payment of attendance money on such day," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LULU D. HADDON, *Chairman.*

We concur in this report: Geo. F. McAulay, K. W. Reardon, Kathryn E. Malstrom, Pearl A. Wanamaker, Gordon Klemgard.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 101, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Those voting nay were: Senator Murfin—1.

Absent or not voting: Senators Drumheller, Klemgard, Koontz and Murphy—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wanamaker, the rules were suspended, and Engrossed House Bill No. 101 was ordered immediately transmitted to the House.

Senate Bill No. 188:

The Secretary read :

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 188, entitled: "An Act relating to the operation of the State Teachers' Retirement System; amending sections 1, 4, 5, 6, 7, 8, and 12 of chapter 221 of the Laws of 1937 (sections 4995-1, 4995-4, 4995-5, 4995-6, 4995-7, 4995-8 and 4995-12 of Remington's Revised Statutes), and further amending chapter 221 of the Laws of 1937 (sections 4995-1 to 4995-12, both inclusive, of Remington's Revised Statutes) by adding a new section, to be known as section 4a, extending the provisions of the act to teachers at certain public institutions,"

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, subsection 17, page 3, line 7 of the original bill the same being section 1, subsection 17, page 2, line 28 of the printed bill by inserting a subsection to be known as subsection 17a to read as follows: "(17a) 'Pension Reserve' shall mean the fund established by appropriations made by the legislature to the pension fund of the retirement system to liquidate the accrued liabilities of the retirement system on the date it became effective, and to establish and maintain a reserve fund for payment of pensions under this act;"

Amend section 6, subsection 2, page 9, line 3 of the original bill the same being section 6, subsection 2, page 5, line 38 of the printed bill, by striking the period (.) after the word "forth" and inserting in lieu thereof a comma (,) and adding the following: "and an amount calculated upon accepted tables for the purpose of establishing and maintaining a pension reserve fund as provided in subsection (17a) of section 1, above."

LULU D. HADDON, *Chairman.*

We concur in this report: Mary Farquharson, Kathryn E. Malstrom, Gordon Klemgard, Pearl A. Wanamaker.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

On motion of Senator Wanamaker, the committee amendment to section 1, subsection 17, page 3, line 7 of the original bill, the same being section 1, subsection 17, page 2, line 28 of the printed bill, was adopted.

On motion of Senator Wanamaker, the committee amendment amending section 6, subsection 2, page 9, line 3 of the original bill, the same being section 6, subsection 2, page 5, line 38 of the printed bill, was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 188, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Keller, Klemgard and Roberts—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wanamaker, the rules were suspended and Senate Bill No. 188 was ordered engrossed and immediately transmitted to the House.

Senate Bill No. 159:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 15, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Industrial Insurance, to whom was referred Senate Bill No. 159, entitled: "An Act providing restrictions as to refusal of patients by hospitals organized as charitable institutions; prohibiting restrictions as to such patient's attending physician's use of such facilities while caring for patients confined therein and providing for penalties for violations thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Strike everything following the enacting clause, insert in lieu thereof the following:

Section 1. It shall be unlawful for any hospital organized as a charitable institution, as contemplated in Remington's Revised Statutes of Washington, section 11111, or any person to cause such hospital, to refuse or cause to be refused any physician and surgeon who has been duly licensed in accordance with the provisions of Remington's Revised Statutes of Washington, section 10008, the use of facilities of such hospital to attend patients therein, or to refuse such patients admittance therein for the direct or indirect reason that such physician and surgeon contracts to give medical service in consideration of payment of periodical premiums or dues, or because of such physician and surgeon's membership or non-membership in any society or other lawful organization: *Provided*, That the refusal by such hospital the use of its facilities by such physician and surgeon shall be prima facie for the above reasons.

"Sec. 2. Any person violating the provisions of this act shall be punished on conviction of violation of this act as for a misdemeanor."

Amend the title by striking the whole thereof and inserting in lieu thereof the following:

"An Act providing restrictions as to refusal of patients by hospitals organized as charitable institutions; prohibiting restrictions as to such patient's attending physician's use of such facilities while caring for patients confined therein and providing for penalties for violation thereof."

G. B. KERSTETTER, *Chairman*.

We concur in this report: Harold P. Troy, F. L. Morgan, Monty Percival, W. C. Dawson, Earl Maxwell, Clifford O. Moe.

Senate Chamber,
Olympia, Wash., February 15, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Industrial Insurance, to whom was referred Senate Bill No. 159, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

We concur in this report: J. W. Henderson.

On motion of Senator Kerstetter, the reports of the committee were received, and the bill was read the third time.

Senator Kerstetter moved that the committee amendment to section 1 be adopted.

On motion of Senator Duggan, the following amendment to the committee amendment to section 1 was adopted:

Amend the committee amendment in section 1, line 8 of the committee amendment by inserting a comma (,) after the word "therein".

On motion of Senator Percival, the following amendment to the committee amendment to section 1 was adopted:

Amend the committee amendment in section 1, line 10, after the word "dues" strike the comma (,) insert a period (.) and strike the balance of the section.

The President announced that the question now before the Senate was the adoption of the committee amendment to section 1, as amended.

On motion of Senator Kerstetter, the committee amendment to section 1, as amended, was adopted.

On motion of Senator Kerstetter, the committee amendment to section 2 was adopted.

On motion of Senator Kerstetter, the committee amendment to the title was adopted.

Senators Morgan, Kyle and Kerstetter demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 159, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Holt, Keeler, Keller, Kerstetter, Klemgard,

Koontz, Kyle, Malstrom, Maxwell, Moe, Morgan, Murfin, Murphy, Percival, Reardon, Roup, Schroeder, Sullivan, Thomas, Todd, Troy and Voyce—29.

Those voting nay were: Senators Copeland, Haddon, Henderson, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Orndorff, Roberts, Rosellini, Shorett, Sieler, Stinson and Wanamaker—16.

Absent or not voting: Senator Edwards—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 116:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 116, entitled: "An Act relating to the presenting and auditing of claims for supplies and services furnished to the State of Washington, and counties and municipal corporations therein, and amending section 9, chapter 75, Laws of 1909, as amended by chapter 18, Laws of Extraordinary Session of 1909, the same being Remington's Revised Statutes, section 9959," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 2 of the printed bill, being line 10 of the original bill by striking the word "further".

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Albert D. Rosellini, F. L. Morgan, Leroy L. Todd, Judson W. Shorett, Herbert H. Sieler, Clifford O. Moe, H. I. Kyle, Earl Maxwell, Harold P. Troy.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 116, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Edwards, Maxwell and Schroeder—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Joint Resolution No. 8:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 15, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 8, entitled: "Providing for an amendment of section 11 of article XII of the constitution of the State of Washington, relating to the liability of

stockholders in corporations, including bank corporations, for the debts and obligations of such corporations, and enabling the legislature to provide for the placing of the liability of stockholders of banking corporations organized under the laws of this state for the debts and obligations of such corporations upon a basis of equality with the liability of stockholders of national banking associations for the debts and obligations of such associations under the laws of the United States," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. I. KYLE, *Chairman*.

We concur in this report: Harold P. Troy, Mary Farquharson, Geo. F. McAulay, Judson W. Shorett, Fred S. Duggan, Ralph Metcalf, W. R. Orndorff, Kebel Murphy, Gordon Klemgard.

Senate Chamber,
Olympia, Wash., February 15, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 8, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: Keiron W. Reardon.

On motion of Senator Kyle, the reports of the committee were received and the bill was read the third time.

Senators Drumheller, Shorett and McAulay demanded a call of the Senate. A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors, and the Secretary called the roll, all Senators being present.

On motion of Senator Reardon, the Senate proceeded under the call of the Senate.

Senators Keller, Drumheller and Kyle demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 8, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Those voting nay were: Senator Atkinson—1.

The resolution, having received the constitutional majority, was declared passed.

On motion of Senator Drumheller further proceedings under the call of the Senate were dispensed with.

The Senate referred back to the second order of business for the purpose of receiving Standing Committee Reports.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 384:

The Committee on Agriculture recommended that Senate Bill No. 384 do pass.

On motion of Senator Shorett, the bill was referred to the Committee on Appropriations.

Senator McAulay assumed the chair.

Engrossed House Bill No. 189:

The Committee on Dairy and Livestock recommended that Engrossed House Bill No. 189 do pass as amended.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 110:

The Committee on Flood Control recommended that Senate Bill No. 110 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 161:

The Committee on Flood Control recommended that Senate Bill No. 161 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 319:

The Committee on Flood Control recommended that Senate Bill No. 319 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 320:

The Committee on Flood Control recommended that Senate Bill No. 320 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 344:

The Committee on Flood Control recommended that Senate Bill No. 344 be re-referred to the Committee on Appropriations with the recommendation that it do pass with suggested amendment.

On motion of Senator Sieler, the report of the committee was received and the bill was re-referred to the Committee on Appropriations.

On motion of Senator Keller, the Senate granted permission to the Committee on Roads and Bridges to use the Senate Chamber this evening at 7:30 o'clock for a public hearing.

At 1:23 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FORTY-FIFTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Wednesday, February 22, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Meyers.

The Clerk called the roll and announced to the President that all Senators were present except Senator Reardon.

Reverend Robert Brumblay, of the First Methodist Episcopal Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 36, 61, 116, 159 and 188, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, Paul G. Thomas, Harold P. Troy.

On motion of Senator Holt, the report of the committee was received.

REPORTS OF STANDING COMMITTEES

Engrossed House Bill No. 55:

The Committee on Judiciary recommended that Engrossed House Bill No. 55 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 122:

The Committee on Judiciary recommended that Senate Bill No. 122 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senator Orndorff assumed the chair.

Senate Bill No. 251:

The Committee on Judiciary recommended the Senate Bill No. 251 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 240:

The Committee on Judiciary recommended that Senate Bill No. 240 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 268:

The Committee on Judiciary recommended that Senate Bill No. 268 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 195:

A majority of the Committee on Dairy and Livestock reported Senate Bill No. 195 back to the Senate without recommendation.

A minority of the Committee on Dairy and Livestock recommended that Senate Bill No. 195 do pass as amended.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 336:

The Committee on Agriculture recommended that Senate Bill No. 336 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 208:

The Committee on Dairy and Livestock recommended that House Bill No. 208 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 330:

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 330 do pass.

A minority of the Committee on Revenue and Taxation recommended that Senate Bill No. 330 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 168:

A majority of the Committee on Public Morals recommended that Senate Bill No. 168 do pass.

A part of the Committee on Public Morals recommended that Senate Bill No. 168 do not pass.

A part of the Committee on Public Morals referred Senate Bill No. 168 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 175:

The Committee on Appropriations recommended that Senate Bill No. 175 do pass.

The report of the Committee, together with the bill, was placed on general file.

Senate Bill No. 322:

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs reported Senate Bill No. 322 back to the Senate without recommendation.

A minority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 322 do pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 374:

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 374 do pass.

A minority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 374 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 263:

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 263 do not pass.

A part of the Committee on Medicine, Dentistry, Pure Food and Drugs reported Senate Bill No. 263 back to the Senate without recommendation.

A part of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 263 do pass with certain amendments.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 370:

A majority of the Committee on Roads and Bridges recommended that Senate Bill No. 370 do pass with certain amendments.

A minority of the Committee on Roads and Bridges recommended that Senate Bill No. 370 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 348:

The Committee on Judiciary recommended that Senate Bill No. 348 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 190:

The Committee on Judiciary recommended that Senate Bill No. 190 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

The House has passed Substitute House Bill No. 29; also
Engrossed House Bill No. 44; also
Engrossed House Bill No. 92; also
House Bill No. 131; also

House Bill No. 134; also
Engrossed House Bill No. 135; also
House Bill No. 152; also
House Bill No. 163; also
House Bill No. 171; also
House Bill No. 225; also
House Bill No. 236; also
Engrossed House Bill No. 283; also
House Bill No. 286; also
House Bill No. 300; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate Bill No. 404, by Senator Haddon, entitled: "An Act providing for a survey for a scenic highway along the scenic side of Hood Canal from Belfair to Bald Point and thence along the east side of the canal through Holly, Seabeck and Bangor to Port Gamble to complete an important loop in a proposed network of such drives, creating an outstanding world attraction in the Puget Sound country and to attract hordes of well-to-do tourists and settlers to Washington."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

President Meyers assumed the chair.

Senate Bill No. 405, by Senator Troy, entitled: "An Act relating to fisheries, defining the area in Puget Sound in which fishing shall be permitted by pound nets, providing for licenses and fixing license fees, and declaring an emergency."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Fisheries.

Senate Bill No. 406, by Senator Reardon, entitled: "An Act relating to the vacating or abandonment of county roads and amending section 48 of chapter 187 of the Laws of 1937 (section 6450-48 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Senate Bill No. 407, by Senator Drumheller, entitled: "An Act relating to recall elections, and amending section 9 of chapter 146, Laws of 1913 (section 5358 of Remington's Revised Statutes), and declaring an emergency."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate Bill No. 408, by Senators McAulay and Rosellini, entitled: "An Act relating to macaroni products; bringing the laws of this state into conformity with regulations of the Federal Trade Commission; regulating the manufacture and distribution of macaroni products; defining terms; providing for permits and certificates and the procedure for revocation or suspension thereof; establishing standards for the prevention of frauds and the protection of public health; and prescribing penalties."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Commerce and Manufacturing.

Senate Bill No. 409, by Senators Percival and Schroeder, entitled: "An Act relating to the manufacture and distribution of candy and other confectionery products, and regulating the same; providing for the protection of public health and the prevention of frauds; defining terms; providing for permits and certificates and the procedure for revocation or suspension thereof; and prescribing penalties."

The bill was read the first time, and on motion of Senator Percival the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Commerce and Manufacturing.

Senate Bill No. 410, by Senator McAulay, entitled: "An Act relating to taxation and amending section 1 of chapter 118 of the Laws of 1937 (section 11281 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

Senate Bill No. 411, by Senator McAulay, entitled: "An Act relating to irrigation districts, district assessments, and district deeds, and amending section 5 of chapter 129 of the Laws of 1921, section 1 of chapter 185 of the Laws of 1929, section 4 of chapter 43 of the Laws of 1933 and section 1 of chapter 101 of the Laws of 1935."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

Senate Bill No. 412, by Committee on Rules and Joint Rules (By Executive Request), entitled: "An Act relating to the state government and authorizing the department of fisheries and the department of game to each establish and operate certain funds as therein provided, and declaring an emergency."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

On motion of Senator Drumheller, the usual number of copies of Senate Bill No. 412 were ordered printed.

Substitute House Bill No. 29, by Majority of Committee on Education, entitled: "An Act relating to public school employees' retirement system, including all non-certificated employees within such system, and amending chapter 221 of the Laws of 1937 by adding thereto a new section to be known as section 4b."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

Engrossed House Bill No. 44, by Representative Underwood, entitled: "An Act relating to the amendment or other revision of city charters."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 92, by Representatives Sherman, Pearson and Savage, entitled: "An Act providing for the relocation and reestablishment of the inner and outer harbor lines in front of Tideland District No. 110 of the tidelands of the first class in front of the city of Port Townsend; and making an appropriation for such purpose."

The bill was read the first time, and on motion of Senator Thomas the rules were suspended, the bill was read the second time by title, and referred to the Committee on Harbors and Waterways.

House Bill No. 131, by Representatives Vane and Jackson, entitled: "An Act relating to assessment in cities and other taxing districts; requiring the making and filing of certified budget or estimates with Clerk of Board of County Commissioners; and amending section 11236, Remington's Revised Statutes of Washington (section 1, chapter 138, Session Laws of 1909, as amended by section 75, chapter 130 of the Laws of Extraordinary Session of 1925)."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 134, by Representatives Vane and Jackson, entitled: "An Act relating to Metropolitan Park Districts and amending section 6725, Remington's Revised Statutes of Washington (section 6, chapter 98, Session Laws of 1907, as amended by chapter 268 of Session Laws of 1927)."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, and referred to the Committee on Parks and Playgrounds.

Engrossed House Bill No. 135, by Representative Jones (John R.), entitled: "An Act relating to persons engaged in buying and selling agricultural products; providing for licenses; providing for hearings; defining "agricultural product," "commission merchant and credit buyer," "agent," "consignor," "retail merchant," "broker," and other terms; exempting producers, retail merchants, certain non-profit cooperative marketing associations, certain processors, certain warehousemen, nurserymen, and certain grain dealers from certain provisions of this act; requiring commission merchants and credit buyers to have bonds; requiring all licensees to carry public liability and property damage insurance; requiring a deposit for tax purposes; requiring that manifests of cargo and other pertinent information be furnished to the director; requiring commission merchants and credit buyers to give certain information to consignors; providing for suit by the director on the bonds of commission merchants and credit buyers; setting up certain grounds for denying or revoking a license; giving the director the right to enter and inspect the premises of any licensee; repealing chapter 67 of the Session Laws of 1937 (section 8292, section 8292-1, section 8293, section 8294, section 8295, section 8296, section 8298, section 8299, section 8300, section 8302, section 8302-1, and section 8302-2 of Remington's Revised Statutes; sections 1417-41 to 1417-52, inclusive, of Pierce's Code); providing penalties; and declaring an emergency."

The bill was read the first time, and on motion of Senator McMillan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Agriculture.

House Bill No. 152, by Representative Jones (D. W.), entitled: "An Act relating to cities of the fourth class, providing for the disposition of surplus earnings of public utilities, and amending section 1 of chapter 98, Laws of 1929."

The bill was read the first time, and on motion of Senator Stinson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations Other Than First Class.

House Bill No. 163, by Representative Riley, entitled: "An Act relating to taxation and setting the date establishing county, city and other taxing district boundaries for purposes of property taxation and the levy of property taxes."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 171, by Representative Woodall, entitled: "An Act relating to police courts in cities of the second class and cities with a commission form of government; amending section 8 of chapter 103 of the Laws of 1913; and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 225, by Representative Hanson, entitled: "An Act relating to coal mining, providing qualifications for hoist engineers, and amending sections 69 and 88 of chapter 36 of the Laws of 1917."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, and referred to the Committee on Mines and Mining.

House Bill No. 236, by Committee on Agriculture, entitled: "An Act relating to the development of the resources of Washington; promoting the general welfare by providing for the encouragement of district exhibitions of the products of agriculture, livestock, arts, science and manufacture; also providing for boys' and girls' 4-H club work, Smith-Hughes vocational work, county and community fairs, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator McMillan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Agriculture.

Engrossed House Bill No. 283, by Representative Pearsall (By Departmental Request), entitled: "An Act relating to education; providing for an educational experiment; defining terms; providing for the establishment of junior college districts and for the selection of boards of trustees therefor; providing for the selection and approval of junior college districts and school districts as agencies for the operation of an experimental program; specifying powers and duties of the state board of education, of boards of trustees of junior college districts, and of boards of school directors; providing for distribution of funds; permitting school districts to make property available to junior college districts; making an appropriation; and declaring an emergency."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House Bill No. 286, by Committee on Reclamation and Irrigation (By Departmental Request), entitled: "An Act relating to irrigation districts under contract with the United States, or any department or agent thereof, to sell certain district property and rights; limiting the time within which actions to enforce any right or claim arising out of the issuance or ownership of the district bonds must be brought; and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Keeler the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

House Bill No. 300, by Representative Butler, entitled: "An Act relating to officers of county and state party committee organizations, and amending section 1 of chapter 200 of the Laws of 1927 (section 5198 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Elections and Privileges.

GENERAL FILE

Engrossed House Bill No. 81:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 17, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 81, entitled: "An Act relating to the creation, government and maintenance of fire protection districts outside of cities and towns; providing for the levy and collection of taxes and assessments against the lands within the district; authorizing the issuance and disposal of district warrants; repealing chapter 60 of the Laws of 1933, Extraordinary Session; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 52, line 22, page 18 of the original bill by striking "exixting" and insert in lieu thereof the word "existing".

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Harold P. Troy, H. I. Kyle, Ralph Metcalf, F. L. Morgan, Clifford O. Moe.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendment was adopted.

Senator Morgan moved the adoption of the following amendment:

Amend section 52, lines 7, 8 and 9 of the printed bill, by striking the emergency clauses.

On motion of Senator Murphy, the amendment was laid on the table.

The Secretary called the roll on the final passage of Engrossed House Bill No. 81, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Moe, Murfin, Murphy, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Thomas, Todd, Troy, Voyce and Wanamaker—32.

Those voting nay were: Senators Copeland, Dawson, Henderson, Keeler, McMillan, Morgan, Orndorff and Stinson—8.

Absent or not voting: Senators Bloomer, Drumheller, Maxwell, Reardon, Schroeder and Sullivan—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 123:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House Bill No. 123, entitled: "An Act relating to public highways and motor vehicles; providing for the parking of motor vehicles within incorporated cities and towns; amending section 109 of chapter 189, Session Laws of 1937; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 13 of the original bill, the same being section 1, line 6 of the printed bill after the word "permitted" and before the word "upon" insert the following: "in cities of the third and fourth class".

Amend section 1, line 15 of the original bill, the same being section 1, line 8 of the printed bill after the word "town:" strike the entire sentence down to and including the word "feet" and insert in lieu thereof the following: "Provided, That angle parking shall be permitted in cities of the third and fourth class where solely provided by local ordinance upon any city street designated as forming a part of the route of a primary state highway through such city or town where such street does not connect at either end with any four lane primary highway and where such street has a minimum width between curbs of seventy (70) feet and there shall be provided between the main traveled and hard surfaced portion of such city or town street and the curb, an angle parking area designated as such having a width of not less than twenty (20) feet."

Amend section 2 of the bill by striking the whole thereof.

Amend the title by striking the semi-colon after the figures "1937" inserting in lieu thereof a period and striking the remainder of the sentence.

T. C. BLOOMER, *Vice Chairman.*
J. P. KELLER, *Chairman.*

We concur in this report: Thomas Voyce, Harold P. Troy, W. R. Orndorff, C. F. Stinson, J. M. Koontz, J. W. Henderson, Clifford O. Moe, Ted F. Schroeder, Geo. F. McAulay, H. I. Kyle.

On motion of Senator Bloomer, the report of the committee was received and the bill was read the third time.

On motion of Senator Moe, the committee amendments were adopted.

The Secretary called the roll on the final passage of House Bill No. 123, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—41.

Absent or not voting: Senators Bloomer, Maxwell, Reardon, Schroeder and Wanamaker—5.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 10:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 17, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 10, entitled: "An Act relating to bonds of executors and administrators and amending section 67 of chapter 156 of the Laws of 1917, and providing for the issuance of letters testamentary or of administration without bond in certain instances," have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 20 of the original bill by striking the word "is" and inserting the word "is" between the words "administration" and "made".

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Harold P. Troy, H. I. Kyle, Ralph Metcalf, F. L. Morgan, Clifford O. Moe.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendment was adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 10, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy and Voyce—35.

Absent or not voting: Senators Bloomer, Dawson, Drumheller, Farquharson, Keeler, Klemgard, Moe, Murphy, Reardon, Stinson and Wanamaker—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 325:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred House Bill No. 325, entitled: "An Act to prohibit the sale, gift, barter, exchange or distribution of amytal, luminal, veronal, barbital, acid diethylbarbituric and para-amino-benzene sulfonamide and their derivatives; amending section 1, chapter 6, Laws of 1939; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. W. HENDERSON, *Chairman*.

We concur in this report: Paul G. Thomas, Lulu D. Haddon, Geo. A. Lovejoy, Henry J. Copeland, Robert T. McDonald.

On motion of Senator Henderson, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 325, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy and Voyce—34.

Absent or not voting: Senators Bloomer, Drumheller, Farquharson, Ferryman, Keeler, Klemgard, Maxwell, Moe, Murphy, Reardon, Stinson and Wanamaker—12.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 8:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 8, entitled: "An Act providing for notice of resignation or removal of executor or administrator and amending section 121 of chapter 156 of the Laws of 1917," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: A. M. Murfin, Albert D. Rosellini, F. L. Morgan, Leroy L. Todd, Judson W. Shorett, Herbert H. Sieler, Clifford O. Moe, H. I. Kyle, Earl Maxwell.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 8, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Absent or not voting: Senators Drumheller, Ferryman, Keeler, Maxwell, McMillan, Moe, Reardon and Stinson—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 58:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred House Bill No. 58, entitled: "An Act relating to the preservation and inspection

of drug and medical prescriptions and providing penalties for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. J. W. HENDERSON, *Chairman*.

We concur in this report: Lulu D. Haddon, Paul G. Thomas, Robert T. McDonald, Geo. A. Lovejoy, G. B. Kerstetter.

On motion of Senator Henderson, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 58, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Farquharson, Ferryman, Keeler, Reardon, Schroeder and Stinson—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 224:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 224, entitled: "An Act relating to the department of agriculture; prescribing a method for conducting the hearing of said department and prescribing for procedure in appeals from decisions and orders of the director; declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the title by striking the semi-colon (;) after the word "director", and the words "declaring an emergency".

Amend Sec. 4, line 23, page 1 of the printed bill, being line 2, page 2, of the original bill, by inserting the word "any" between the words "in" and "proceeding".

Amend Sec. 4 by striking everything after the word "for" in line 5, page 2 of the printed bill, being line 13, page 2 of the original bill and inserting in lieu thereof the following: "contempt of court."

Amend Sec. 9, line 24, page 2 of the printed bill, being line 6, page 3 of the original bill, by inserting the word "or" between the words "person" and "by".

Amend section 10, by striking everything after the word "may" in line 28, page 2 of the printed bill, being line 11, page 3 of the original bill, to and including the word "director" in lines 33 and 34 of the printed bill, being line 18 of the original bill, and inserting in lieu thereof the following: "appeal to the superior court of the county in which such hearing was held. In case of such appeal, the court shall be limited to the questions of fact involved and the question of the correctness of the director's application of the provisions of this act. Matters resting in the discretion of the director shall not be subject to review. In case of such appeal".

Amend Sec. 11, lines 38 and 39, page 2, of the printed bill, being line 25, page 3 of the original bill, by striking "as in other cases of writ of review,"

Amend Sec. 13, by striking everything after the period (.) in line 3, page 3 of the printed bill, being line 6, page 4 of the original bill.

Amend Sec. 14, by striking the whole thereof. FRED S. DUGGAN, *Chairman*.

We concur in this report: Clifford O. Moe, Leroy L. Todd, H. I. Kyle, Ralph Metcalf, Albert D. Rosellini, Judson W. Shorett, Geo. F. McAulay, Herbert H. Sieler, F. L. Morgan, A. M. Murfin, Earl Maxwell.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 224, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Rosellini, Roup, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—37.

Absent or not voting: Senators Atkinson, Drumheller, Keeler, Klemgard, Murphy, Reardon, Roberts, Schroeder and Stinson—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Meyers assumed the chair.

Senator Moe gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 224 passed the Senate.

Senate Bill No. 135:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, your Committee on State Library, to whom was referred Senate Bill No. 135, entitled: "An Act relating to free public libraries and the trustees thereof, providing for a special levy, establishing a fund, and amending section 8 and section 10 of and adding section 9a to chapter 119 of the Laws of 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

KATHRYN E. MALSTROM, *Chairman.*

We concur in this report: N. P. Atkinson, Alfred E. Holt, J. M. Koontz.

On motion of Senator Malstrom, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 135, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Farquharson, Ferryman, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—37.

Absent or not voting: Senators Drumheller, Duggan, Haddon, Keeler, Klemgard, Moe, Reardon, Schroeder and Stinson—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 151:

On motion of Senator Maxwell, Senate Bill No. 151 was made a special order of business for 11:30 o'clock a. m., tomorrow.

The Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 400, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

GENERAL FILE

Senate Bill No. 9:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 9, entitled: "An Act relating to hunting and fishing and amending section 5892 of Remington's Revised Statutes and exempting resident citizens over the age of sixty-five years from the necessity of securing a license to hunt and fish", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.
GEO. F. MCAULAY, *Chairman.*

We concur in this report: J. W. Henderson, Ted F. Schroeder, J. M. Koontz, D. E. McMillan, A. E. Edwards.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

Senator Ferryman moved the adoption of the following amendment:

Amend section 1, line 1 of the printed bill by striking the entire section and inserting in lieu thereof the following:

"Section 1. Section 42, chapter 178 of the Laws of the Extraordinary Session of 1925 (section 5897 of Remington's Revised Statutes) as amended by section 2, chapter 124 of the Laws of 1935, is hereby amended to read as follows:

"Section 42. Any citizen of the United States, or person who has in good faith declared his intention of becoming a citizen of the United States, and who has been an actual resident of this state for six months immediately preceding the application for such license may by paying to the director of game or any person deputized or designated by him to issue licenses and collect the fees therefor the sum of three dollars (\$3), obtain a state hunting and fishing license which shall entitle the holder thereof to hunt and fish in any county of the state until the first day of January next, following the date of its issuance, when it would otherwise be lawful to hunt or fish within said county: *Provided, That any citizen over the age of sixty-five years, who is an actual resident of this state, may obtain such a license free of charge.*

"Sec. 2. Section 43, Chapter 178 of the Laws of the Extraordinary Session of 1925 (section 5898 of Remington's Revised Statutes) as amended by section 3, Chapter 124 of the Laws of 1935, is hereby amended to read as follows:

"Section 43. Any citizen of the United States, or person who has in good faith declared his intention of becoming a citizen of the United States, and who has been an actual resident of this state for six months immediately preceding the application for such license may, by paying to the director of game or any person deputized or designated by him to issue licenses and collect the fees therefor the sum of one dollar and fifty cents (\$1.50), obtain a hunting and fishing license which shall entitle the holder thereof to hunt game birds and game animals and fish within the county in which he resides, for which such license is issued until the first day of January next following the date of issuance, at any time when it is otherwise lawful to hunt or fish in such county: *Provided, That any citizen over the age of sixty-five years, who is an actual resident of this state, may obtain such a license free of charge.*"

Senator Kyle moved the adoption of the following amendment to the amendment:

Amend the amendment, section 1, in the second line of the underscored portion of said amendment after the words "sixty-five years" insert the words "or under twenty-one years".

On motion of Senator Mills, the amendment to the amendment was laid on the table.

On motion of Senator Sieler, the following amendment to the amendment was adopted:

Amend the amendment to section 1, being the last line of the amendment to said section, by striking the words "such a" and inserting in lieu thereof the words "a fishing".

On motion of Senator Sieler, the following amendment to the amendment was adopted:

Amend the amendment to Sec. 2, being the last line of the amendment to said section, by striking the words "such a" and inserting in lieu thereof the words "a fishing".

The President announced that the question was now on the adoption of the amendment offered by Senator Ferryman, as amended.

The amendment by Senator Ferryman, striking section 1 and inserting in lieu thereof sections 1 and 2, as amended, was adopted.

Senator Ferryman moved the adoption of the following amendment:

Amend the title by striking all after the word "amending" in line 1 thereof and inserting in lieu thereof the following:

"sections 42 and 43, chapter 178, Laws of the Extraordinary Session of 1925 as amended (section 5897 and 5898 of Remington's Revised Statutes) and providing that actual citizens over the age of sixty-five years may obtain hunting and fishing licenses free of charge."

On motion of Senator Kyle, the following amendment to the amendment of the title was adopted:

Amend the amendment to the title, being line 4 of the amendment to the title, by striking after the word "obtain" and before the word "fishing" the words "hunting and".

The amendment to the title, as amended, was adopted.

The Senate referred back to the second order of business for the purpose of receiving a Standing Committee Report.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 400, have compared same with the original bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Mary Farquharson, Monty Percival, W. C. Dawson.

On motion of Senator Lovejoy, the report of the committee was received. The President signed Senate Bill No. 400.

Senate Bill No. 9:

The Senate resumed consideration of Senate Bill No. 9 on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 9, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Duggan, Murfin and Reardon—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Schroeder requested that the Committee on Agriculture be allowed until tomorrow to make its report to the Senate on the investigation being conducted by it under Senate Resolution heretofore passed.

On motion of Senator Kyle, the request of Senator Schroeder was granted. Senator Wanamaker assumed the chair.

MOTION

Senator Troy moved that when the Senate adjourns today, it adjourn in memory of former Secretary of State J. Grant Hinkle, who passed away last night.

The motion by Senator Troy carried.

Senator Kyle requested that he be excused from attending the Senate session this afternoon.

Senator Roberts moved that the request of Senator Kyle be granted.

The motion by Senator Roberts carried.

At 12:20 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 1:50 o'clock p. m. today.

AFTERNOON SESSION

The Senate reconvened at 1:50 o'clock p. m., President Meyers in the chair. The Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 79, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 80 with the following amendments:
In section 4, page 3, line 31, of the original bill, being page 3, line 4, of the printed bill, after the word "bidding" and before the word "and" strike the semi-colon (;) and insert in lieu thereof the following: "provided, there must be 5 days public no-

notice given either by posting in three public places or publishing in the official county newspaper of the county wherein the property is located;"

In section 4, page 3, line 31, of the original bill, being page 3, line 4, of the printed bill, strike the words "public notice"; and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Metcalf, the Senate concurred in the House amendments to Senate Bill No. 80.

The Secretary called the roll on the final passage of Senate Bill No. 80, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Duggan, Edwards, Ferryman, Haddon, Holt, Keeler, Kerstetter, Koontz, Lovejoy, Malstrom, Maxwell, McMillan, Metcalf, Moe, Morgan, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—30.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Henderson, Mills and Sieler—6.

Absent or not voting: Senators Farquharson, Keller, Klemgard, Kyle, McAulay, McDonald, Murfin, Murphy, Reardon and Stinson—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 2:00 o'clock p. m., the President announced that the Senate members would now retire to the House Chamber to meet in joint session with the members of the House for the purpose of celebrating Washington's birthday and the Washington State Golden Jubilee.

The members of the Senate retired to the House Chamber.

JOINT SESSION

The Sergeant-at-Arms announced the arrival of the Senate at the door of the House.

The Speaker invited the Senators to seats within the House, and the President of the Senate to a seat at the Speaker's desk.

The Joint Session was called to order at 2:00 o'clock p. m.

The President of the Senate presided.

The Secretary of the Senate called the roll of the Senate, and all Senators were present.

The Clerk called the roll of the House, and all members were present.

The President appointed the following committee to notify Governor Clarence D. Martin that the Senate and House were in Joint Session: Senators Ferryman and Malstrom, and Representatives Wintler, Reilly (Edward J.), Kinnear (Geo. A.), and Butler.

The committee retired.

The committee announced the arrival of His Excellency, Governor Clarence D. Martin, and escorted him to a seat upon the rostrum.

The President announced that the Joint Session was called for the purpose of celebrating the Washington State Golden Jubilee.

Reverend Robert Brumblay, of the First Methodist Episcopal Church of Olympia, invoked the Divine blessing.

The program follows:

PROGRAM

LIEUTENANT-GOVERNOR VICTOR A. MEYERS
President of the Senate

REPRESENTATIVE JOHN N. SYLVESTER
Speaker of the House

SENATOR PEARL A. WANAMAKER
Master of Ceremonies

REV. ROBERT BRUMBLAY
Invocation

JACK CANNON

Seattle Preparatory School—Winner Golden Jubilee Oratorical Contest
"Washington State of the Future"

146TH FIELD ARTILLERY BAND—WASHINGTON NATIONAL GUARD
"It's a Hundred to One You're From Washington"

SENATOR DAVID E. McMILLAN
Address: "Early Legislative Days"

Message From

PRESIDENT FRANKLIN D. ROOSEVELT

REPRESENTATIVE J. HOWARD PAYNE
Address: "Transportation and Communication Development"

GOVERNOR CLARENCE D. MARTIN
Golden Jubilee Proclamation and Address

NILE TEMPLE CHANTERS

"It's a Hundred to One You're From Washington"

INTRODUCTION OF WASHINGTON STATE PROGRESS COMMISSION

PRESENTATION OF FLAGS

by

MRS. FRANCES HASKELL

National Officer of the Daughters of the G. A. R.

Violin Solo

MISS ANITA LIPP (9 years of age)

The Speaker:

Your Excellency, Governor Martin; members of the Washington State Senate and distinguished guests. On behalf of the membership of the House of Representatives I welcome you, Lieutenant-Governor Meyers and distinguished Senators to this Joint Session.

Fittingly, we lay aside for a few hours the serious tasks of lawmaking to inaugurate the Golden Jubilee observance of Washington's admission to Statehood.

Fifty years is not a lengthy span in the life of a Commonwealth. It is but little longer than the life span of more than a few of the House members over whom I have the honor to preside. To them, this anniversary awakens recollections of that glorious day when Washington was admitted to the Union. While we pay homage to those pioneers, men and women who wrestled this great state from the wilderness, and a half century ago achieved Statehood, this occasion calls for a forward outlook. It is one upon which we of this generation should dedicate ourselves to the formulation of policies which will, in the years to come, enable Washington to achieve a full realization of its potentialities.

Just now, the limelight of Eastern attention is focussed upon the vast power and water resources, with their attendant industrial and agricultural possibilities, and the recreational opportunities of our great State.

This nation-wide broadcast is added evidence of that fact. We who live here are prone to take for granted the wondrous beauties, matchless scenery, and vast natural resources; the opportunities for agreeable living and the enjoyment of life. We must not overlook the fact that these things which have become commonplace to us are the assets which will attract to us the people of other areas less fortunately situated.

We take this occasion to renew our cordial invitation for a visit to the heart of this great Pacific Northwest Evergreen playground—the State of Washington.

It is now my pleasure to introduce your Chairman who will preside over the proceedings of this Joint Session—the very charming, respected and able Senator from Island County—Mrs. Pearl A. Wanamaker—Senator Wanamaker.

Senator Wanamaker, Master of Ceremonies, introduced the following guests:

Walter J. Thompson, a member of the 1887 Territorial Legislature, now living at Gravelly Lake, near Tacoma, and now 86 years of age. He represented Pierce county.

Mr. Thompson:

"I was active in the 'Assembly' and then was elected to the 'Council' or 'Senate', but the enabling law of 1889 making Washington a state interfered with my serving, and I saw fit not to run again. My partner and brother-in-law, Henry Drum, a Democrat, carried my district by about my usual vote."

Mrs. Kate Stevens Bates, daughter of the first Territorial Governor, was introduced by Senator Wanamaker as follows:

"Governor Isaac I. Stevens was a very energetic and dynamic individual. He made a survey of the railroad route from the Mississippi to Tidewater of Puget Sound. On his first trip to Olympia, he went down the Columbia, up the Cowlitz River to Olympia, and he arrived at Olympia on November 25, 1853. Ahead of his party, he arrived alone, tired, dirty, and hungry.

He sought the only place that looked like a dining hall, but was refused admission. "We're goin' to have doin's here," said the chef, "and we can't feed strangers until after they are over."

"Well see here, I am hungry, can't you give me some of the scraps from the kitchen table?"

"Oh, yes, I guess we can do that."

After satisfying his appetite, the Governor walked out into the street, and there a man accosted him and complained about the slow arrival of the new Governor.

"Then I suppose I am the man you are looking for."

"You!"

"Yes." When satisfied the small travel-stained man was really the new Governor, the man began beating a discarded circular saw hung to a post. This was the signal. Men swarmed from cabins and forest. They filed into the dining hall, placed the Governor at the head of the table, but there he sat, unable to eat a mouthful. He was chock full of scraps.

"It is with pleasure I present to you, Mrs. Kate Stevens Bates."

H. G. Vick, representing Governor Moses of North Dakota. The State of North Dakota is also celebrating its fiftieth anniversary this year, having been admitted to the Union a few days before Washington.

Major General Walter C. Sweeney, commanding officer, Fort Lewis.

R. E. Stanfield, official of Hudson's Bay Company, Winnipeg, who is here to bring greetings to Governor Martin and the State of Washington from the Canadian company whose early traders made history in Washington. He is also here to see about Hudson's Bay Company participating in the Golden Jubilee.

N. B. Coffman, President of the Washington State Historical Society; pioneer of territorial days; now living at Chehalis.

W. P. Bonney, Secretary of the Washington State Historical Society, and manager of Ferry Museum at Tacoma; living in Tacoma.

George F. Cotterill, Chairman of the Golden Jubilee Committee, Washington State Pioneers' Association. He is a former state legislator, a former Mayor of Seattle, and a former Port Commissioner of Seattle. He lives in Seattle.

Josiah Collins, representing Washington State Pioneers' Association. He lives in Seattle.

C. E. Parker, President, Native Sons of Washington. He lives in Seattle.

Lieutenant-Colonel J. H. Hilis, Aide de Camp to General Sweeney, Fort Lewis.

Major M. W. Clark, Public Relations Officer, Fort Lewis.

Senator Wanamaker introduced the following native sons and daughters, who are at present members of the Senate and House of Representatives:

SENATE

Henry J. Copeland, Walla Walla
Joseph Drumheller, Spokane
Mary U. Farquharson, Seattle
J. Gordon Klemgard, Pullman
J. M. Koontz, Nespelem
David E. McMillan, Colville

Earl Maxwell, Earlington
Albert D. Rosellini, Seattle
Ted F. Schroeder, Puyallup
Paul G. Thomas, Seattle
Harold P. Troy, Olympia
Pearl A. Wanamaker, Coupeville

HOUSE OF REPRESENTATIVES

Harry D. Austin, Seattle
Cecil Callison, Port Orchard
W. E. Carty, Ridgefield
Ernest A. Dore, Jr., Everett
C. N. Eaton, Waitsburg
Emmet E. Egbert, Burlington
Charles C. Finucane, Vancouver
Robert M. French, Okanogan
Alex Gabrielsen, Vancouver
Cecil A. Gholson, Yakima
Alfred J. Hanson, Cle Elum
Frank L. Hatley, Everson
George Cosgrove Kinnear, Seattle
Roy J. Kinnear, Seattle
Wm. LeRoy LaFollette, Colfax
Roderick A. Lindsay, Spokane
Fred J. Martin, Rockport
Donald B. Miller, Spokane

Frank O. Miller, Chehalis
Tom Montgomery, Puyallup
John Pearsall, Aberdeen
Francis Pearson, Port Angeles
Jack H. Petit, Ilwaco
B. F. Reno, Jr., Bellingham
Edward F. Riley, Seattle
Hugh J. Rosellini, Tacoma
Alva Ruark, Pomeroy
Paul Sandegren, Tacoma
Vernon A. Smith, Seattle
C. Wayne Swegle, Walla Walla
John N. Sylvester, Seattle
Theodore S. Turner, Seattle
George Twidwell, Montesano
Will W. Wentworth, Spokane
Ella Wintler, Vancouver
Perry B. Woodall, Toppenish

Senator Wanamaker:

As most of you know, the Washington State Progress Commission recently sponsored an oratorical contest in which high school students from all parts of the state competed. The idea was to instill "Washington-ism" into the young minds. District elimination contests were held in various parts of the state. Then two weeks ago, the ten district winners met here in Olympia for the state finals.

We have with us today, as a special favor, the young man who won this Golden Jubilee oratorical contest. He is Jack Cannon of Seattle. Jack is a student of Seattle Preparatory School. He is seventeen years old and a senior. Jack has chosen the subject, "Washington State of the Future." And now it is my pleasure to present the winner of the Golden Jubilee Oratorical Contest, — Jack Cannon.

Jack Cannon addressed the joint session, in a very able manner, on the subject: "Washington State of the Future."

The following messages of congratulation were read by Senator Wanamaker.

Pomeroy, Washington
February 20, 1939,

To the Washington Legislative Banqueters of this Session:

I, as a member of the last Washington Territorial Legislature, elected by the citizens of Garfield and Asotin Counties, which did not meet in 1889, wish to send congratulations to the members of the 1939 Session, and hope you will have oceans of pleasure at your banquet on the 22nd of February, 1939.

Truly yours,
W. S. OLIPHANT.

POSTAL TELEGRAM

Washington D C
1939 Feb 21 PM 2 58

Hon Chapin D Foster Chairman and Members Washington State Progress Commission

Deeply regret I cannot avail myself of the compliment to be with you tomorrow Stop It would give me much pleasure but the pressure of events here prevents my

absence at this time Stop Best wishes to you and to those who are gathered there to do honor to the memory of Washington

JAS HAMILTON LEWIS USS

UNITED STATES SENATE

Washington, D. C.
February 20, 1939.

Legislature of the State of Washington
Olympia, Washington
Dear Legislators:

I have just been reading of the plans for the inauguration of the celebration of the fiftieth year of statehood for Washington. I think it is very fortunate that the occasion is at a time when the State Legislature is in session. I feel that I should convey to the Legislature in its joint session my greetings.

It is indeed peculiarly fitting that the enabling act which led to the entrance of Washington State into the Union should have been signed by President Cleveland on February 22nd, the anniversary of our first President for whom the State was named.

Fifty years is a short time in the history of the world, and even in the history of America, but there have been no more important years for mankind in all history than the past five decades. Washington State and its people have been contributors to many factors which have made for advancement in the past fifty years. Washington State is today, through the development of Grand Coulee and with its other natural advantages, in a position to be the unquestioned leader among all the states.

I am deeply appreciative that I have been selected as one of its representatives in the Nation's capital, and it is my hope that I can do those things which will bring credit to my State.

Sincerely yours,

LEWIS B. SCHWELLENBACH.

STATE OF OREGON

Salem, Oregon,
February 17, 1939.

Mrs. Pearl A. Wanamaker
Washington State Senate
Olympia, Washington

My Dear Mrs. Wanamaker:

I wish to thank you very much for the invitation to attend the special Golden Jubilee ceremony of the Washington State Legislature on February 22.

I should like very much to accept your gracious invitation and to participate with you in this celebration. However, I have another engagement in Portland that evening and would not have time to get back from Olympia if I attended the exercises there. As a former resident of Washington I can thrill with sincere pride over the accomplishments of your State during the last half century.

Yours sincerely,

CHARLES A. SPRAGUE, Governor.

STATE OF IDAHO

Office of the Governor

Boise, February 17, 1939.

Senator Pearl A. Wanamaker
Chairman, Golden Jubilee Committee
Olympia, Washington.

My dear Mrs. Wanamaker:

I regret exceedingly that I can not accept your kind invitation to attend the Golden Jubilee celebration.

I greatly desire to be present, but I am afraid that my duties with the Legislature here, will keep me in the capitol on that day.

Very sincerely,

C. A. BOTTOLFSEN, Governor.

Senator Wanamaker:

We had very much hoped to have one other member of the territorial legislature with us today. He is C. R. McMillan of Colville, who served in the 1887 session, and who later served in the 1915 and 1917 sessions as Senator. We received word yesterday he would be unable to attend.

However, we are honored to have his son on the program with us. He is Senator David E. McMillan, representing the Second District. Senator McMillan inherits much of his love for Washington from his pioneer father, and in connection with the subject of Senator McMillan's address, I would like to quote from the message of Governor Ferry to the first state legislature.

He said: "The great honor which has been conferred upon you by our fellow citizens is a marked one, which cannot fail to awaken in you pardonable feelings of pride and gratification. Other legislatures of Washington there will be, but this is the first. You are the pioneers of Washington legislation. You have the great privilege of bearing the most important part in the founding of Washington's government."

It is my privilege to present Senator David E. McMillan, who will speak on "Early Legislative Days."

Senator David McMillan:

Mr. Governor, Distinguished Visitors, Ladies and Gentlemen:

I am honored by the Golden Jubilee Committee of the Senate in being chosen as a speaker for that body for today's program, which inaugurates our Fiftieth year of statehood.

In 1889, the population of the state was around 200,000, and that was a very considerable growth of about 66% increase over that of 1887, at which time the Secretary of State's office showed a population of 143,720.

The entire western slope from the ocean to the summit of the Cascades was covered with dense forests of mighty firs which in point of magnificence and size were unequalled anywhere else in the world.

East of the Cascades and in the northern part of the state, there was a land of beautiful pine forests which were as yet unacquainted with the woodsman's axe, interspersed with beautiful lakes and valleys teeming with game of every kind and description—a veritable paradise.

In the lands we now know as Palouse and Walla Walla counties, cattle and horses were raised in large herds over the country, which had only recently been the hunting ground of various tribes of Indians.

The boundless fertility of these acres was as yet untouched, although it was but a few years until the cultivation of wheat was being practiced on a considerable scale.

We were a rich, virgin country with resources ready to be turned at the hand of man. Opportunity was golden, and the foundations of many fortunes were beginning to be laid. The fisheries were a vast reservoir, and they along with the magnificent stands of timber, which were many centuries in the making, were waiting the destructive hand of civilization. It took several decades of sad experience before we realized that these valuable stores must be conserved, and utilized to the best advantage.

The legislative council of 1887 met in a two-story frame building situated near the site of the present Insurance Building. This structure was about 40x60 with a flag pole and belfry at the front end of the building, and which I presume, could be built in those days for a matter of three or four thousand dollars.

My father, C. R. McMillan, along with J. Hamilton Lewis, the present senior United States Senator from Illinois, A. D. Bowen of Anacortes, and Walter J. Thompson of Tacoma, are the surviving territorial legislators of the state of Washington. He was a member of the 1887 Legislative Council from a district comprising the present counties of Stevens, Ferry, Okanogan and Pend Oreille and has this to say concerning that session:

"Our Legislative building was a very comfortable structure, heated by four cast iron stoves, fired with bark. The furnishings were good, without ornamentation. In the Territorial organization, there was no Lieutenant Governor. Mr. Eugene Semples was Governor. The time of the Legislature was taken up chiefly in a controversy as to what part of the state our capitol would be located, women's suffrage, and gross earning taxes.

"When it came time to journey to Olympia, I went by horse-drawn stage to Spokane, a journey which consumed two days. From Spokane to Tacoma over the Northern Pacific on the famous switch back, a slow and tiresome journey as judged by modern standards.

"The Legislative term was from December 5, 1887 to February 2, 1888. When we adjourned, the snows were still high on the Cascades, and it became necessary to go to Portland and thence home."

As we look back over these fifty years of progress, we realize that despite the wonderful strides in practically every line, we have much to learn from the hearty fortitude of the early day settler whose only resource was his personal effort.

Senator Wanamaker read the following message from President Franklin D. Roosevelt:

Aboard U.S.S. Houston,
February 22, 1939.

Senate and House of Representatives of The State of Washington in Joint Legislative Session Assembled:

When the Congress, fifty years ago today, passed an enabling act for the admission of the State of Washington into the Union few could have visualized the mighty achievements to be wrought in the ensuing half century.

Men of might and valiant women builded better than they knew through all the years of struggle that began with the period of discovery and exploration. These sturdy settlers had laid foursquare to every wind the foundations upon which stands today the commonwealth bearing the proud name of "The Father of His Country"—The only state in the Union named for a President.

Washington has ample claim to a proud heritage both in name and in achievement. Great, however, as are the things accomplished in the years of statehood—1889—1939—we may well hail them as only the prelude to greater achievements in the years that lie ahead.

Out of the past comes our heritage from the founders. Their courage and their conquests and their sacrifices were the forerunners of the magnificent state which Washington has become. Before us stretch infinite possibilities of greater security and happiness. In the Pacific Northwest are many symbols of that better life: Grand Coulee, Bonneville, the Olympic and Mt. Rainier parks, the conservation of our forests, the new security for our old people and our unemployed—all point the way of the future.

On this Golden Jubilee Day I send most cordial greetings to the people of Washington and wish them every happiness in their celebration. From the vantage point of fifty years of statehood we look forward with pride and forward to a future big with the promise of even greater things.

FRANKLIN D. ROOSEVELT,

President of the United States of America.

Senator Wanamaker:

In the addresses this afternoon, the early history, development, and present achievements of the State of Washington are being reviewed progressively. No better qualified representative could be found to talk on the part which transportation and communication played in the development of Washington.

Representative J. Howard Payne, who came to Washington as a young boy only eight years after Washington achieved statehood, has played an important part in the development of Washington's transportation systems. He has sailed in ships virtually all of his life, visiting many ports, always coming back to Washington. He wholeheartedly believes in Washington as a maritime state, and is known as the "Cappy Ricks" of Puget Sound.

It is with pleasure that I present to you Capt. J. Howard Payne, Representative from the thirty-sixth district, who will review the Development of Transportation and Communications in Washington.

Captain J. Howard Payne:

Madam Chairman, Governor Martin, Members of the Supreme Court, distinguished guests, ladies and gentlemen:

I am very happy to be able to participate in this program celebrating a half century of progress and development since Washington territory became the 42nd state of the Union.

In the three minutes allotted to me I can only briefly discuss transportation and communication in the state of Washington during the period from 1889 to 1939.

The history of any city, state or nation might well be written in terms of its transportation and communication systems.

The economic, political and cultural development of our great state has gone hand in hand with the development of our transportation systems.

In 1889 the Northern Pacific Railroad was the only railroad in the state with a total mileage of about 600 miles. In 1939 we have 9,600 miles. While the development of railroad transportation has been stupendous during the last fifty years, it does not at all compare to the development of our highways and the traffic that moves over them.

In 1889 wagon roads connected isolated communities. From 1889 to 1895 the state expended only \$151,000 for a few state roads, while fifty years later we spend \$25,000,000 a biennium in highway construction and maintenance.

Now, fifty years since we became a state, we have a primary highway system 5,758 miles long, which, if it could be extended would reach out across the Pacific to Japan and across the China Sea to Shanghai.

In addition to this splendid system we have a fine secondary system with a total mileage long enough to reach from here to Honolulu or 2,242 miles.

In 1889 horses and buggies and stage coaches afforded the only transportation over the post roads and turnpikes. Now, fifty years later 24,000,000 miles are covered by busses every year and over 11,000,000 passengers are carried; 101,000 trucks and trailers carry much of the commerce of the state between our various communities. Over 400,000 passenger automobiles move our people over friendly roads.

In 1889 the waterborne commerce of our state was carried largely in white-winged full-rigged ships. Relatively small steamers operated on coastwise and Alaska routes. No steamships operated to foreign ports in that day. Now in 1939 we have modern diesel ships as well as modern steamers operating to all ports of the world. The products of our farms and factories find enlarged markets by reason of these modern cargo carriers.

In 1889 there were only 754 telephones in the state. Now there are 323,000 in use. Radio was undreamed of but now these words that I am speaking into this instrument go out instantly over the air-waves to the farthest corners of the nation. Truly a remarkable development.

Three hundred fifty-seven thousand people who lived in our state in 1889 could not visualize the remarkable scientific achievements in communication and transportation that 1,600,000 who live here now enjoy. Little did they realize in 1889 that the 69,000 square miles in the state of Washington would be criss-crossed with ribbons of steel and concrete, with airplanes spanning the 345 miles across the state in three hours.

I am sure that I am voicing the sentiments of every member of this Legislature when I express the hope that the next fifty years will bring to our children and our children's children an equal development, not only in the science of transportation and communication, but in the science of government as well.

Within these peaceful walls we should annually commemorate the birth of our state in gratitude for these many instrumentalities of peace and progress that have been given to us by the benignant hand of God.

Senator Wanamaker:

Our state proudly bears the name of the Father of our Country, and its first President, George Washington. It has the further distinction of having as its chief executive a native-born son, whose knowledge of the state, pride in its accomplishments, and love for it are not surpassed by anyone.

In reviewing the fifty-year history of the State of Washington, we find that education has been one of its cornerstones. In the first message to the new state legislature, Governor Ferry concluded by urging "a system of education which shall place within the means of all the full development of the capacities with which they have been endowed." This principle was further advanced by Governor John R. Rogers, who became known as the author of the Barefoot Schoolboy law. In recent years the people of the State of Washington have been most fortunate in having a governor who has been a consistent supporter of education, believing that education is the basic foundation of Democracy.

No man is prouder of his state's achievements and its records of progress than our own Washington-born Governor Clarence D. Martin, and it is with the utmost pleasure that I present him at this time as the principal speaker on our Golden Jubilee program. Governor Martin . . .

Governor Clarence D. Martin:

My Fellow Citizens of Washington:

It is highly appropriate that we, the loyal citizens of this great and growing state, should celebrate and rejoice today; and it is decidedly proper that our celebrating and rejoicing be tempered with reverence, gratitude and thanksgiving. For today we have gathered here to remember and honor several historic events that should reach and inspire the heart and mind of you and me—of all true Washingtonians.

Today, we celebrate the 207th birthday of George Washington, the Father of our country and the inspiration for the name and spirit of our state.

Today, we honor the pioneers of the State of Washington—the men and women who overcame geographical, economic and political obstacles to build homes, establish families, and to succeed on February 22, 1889—just fifty years ago today—in winning the right to set up self-government as a sovereign state.

Today, we honor those pioneer leaders who on July 4, 1889, convened to bring forth a Constitution dedicated to those ideals and institutions which already had served America long and well.

Then, we also honor the pioneers in general—including several of those splendid pioneer citizens who are sitting with us in this legislative hall—for establishing and protecting these ideals and institutions, and for preserving the great heritage that stands proudly today as the State of Washington.

Of course we cannot properly honor George Washington, our forefathers and the pioneers with mere words and sentiments. Their work speaks for itself, and honors them. We can truly honor them by doing our part to protect those ideals and institutions, by preserving and developing the rich heritage they left to us, and by seeing to it that we do as well for our children, and children to come, as they did for us.

When I think of the hardships our fathers endured, and endured cheerfully, I wonder if we are even partially justified in some of the common complaints of this day. For instance, in those old days, with only meager things to share, the first thought was to provide for your own, and then to help your less fortunate neighbor. And yet today some tell us that we cannot, and some assert that we dare not, declare that family ties are not meaningless and should be respected morally and economically. I think this is one fundamental principle to which we should recur, if we are to honor our fathers as they honored us. Other fundamental principles which our fathers cherished are being tested, and we must ever stand on guard, if we are to preserve, foster and advance the Washington that we inherited.

I am sure, however, that we will not fail,—that we will give to our children a still greater Washington—a state worthy to bear the name of the immortal George Washington. While it is a common tendency to regard George Washington as a soldier, I like to think of him as the youthful trail blazer, founder and builder, who would have been stirred by the resources and opportunities of the region that now is the State of Washington. Here, in the northwest corner of the United States, facing the Pacific and the trade possibilities beyond, George Washington would have found a land to challenge his imagination, talent, courage and leadership. Our high rugged mountains, rushing rivers, big timber, minerals, fisheries, valleys, plains and rolling lands, with a climate suitable for human enterprise and enjoyment, would inspire and challenge him to vision and to build a great empire.

I am happy to think that all of this lies at the feet of this generation—the first generation of native-born sons and daughters, fifty of whom are serving in this Legislature, to take full possession and management of this rich heritage and responsibility. I envy our young people, and I have faith that they will prove worthy of their heritage, worthy of the pioneers and worthy of the vision and spirit of George Washington.

Now, my fellow citizens, as the first native son to serve as Governor of Washington, I am proud to declare this celebration to be the official opening of the Golden Jubilee. I trust all good citizens, communities and public organizations will continue throughout the year to maintain the spirit of the Golden Jubilee, not only to honor our beloved Commonwealth, but also to impress thousands of visitors who are coming to enjoy the hospitality of our state and people.

Senator Wanamaker:

Several members of our Washington State Progress Commission are in the audience this afternoon. We are proud of the Progress Commission, which has done an outstanding job of selling Washington, not only to the people of Washington by stimulating interest and appreciation for their state, but to the rest of the nation as well. It is one of the few state departments that returns vastly more in taxes than it spends. At the same time it is bringing tourists here to see Washington as it actually exists, and to gain a new appreciation of its values.

In reading through some early legislative records a few days ago I ran across this interesting fact. In 1893, the state spent \$250,000 for an exhibit at the World's Columbian Exposition in Chicago. And fifteen years later, good results were still being traced to the excellent showing made.

I would like to take this opportunity to introduce the members of the Progress Commission:

Mr. Chapin D. Foster, of Chehalis, the chairman
 Mr. Leo Weisfeld, of Seattle, who is general chairman of all the Golden Jubilee celebrations throughout the state this year

Mr. Charles F. Larrabee, of Bellingham

Mr. Charles E. Johns, the executive secretary

There are several members who were unable to attend today. Mr. E. B. McGovern is still in San Francisco, where Washington's exhibit at the Golden Gate International Exposition opened last Saturday.

There is also Mr. Eric A. Johnston, of Spokane, the commission's first chairman; also Mr. Lyle Abrahamson, of Tacoma, the newest member of the commission; and Mr. James McCluskey, of Spokane.

During the program, musical numbers were presented by the 146th Field Artillery Band of the Washington National Guard; the Nile Temple Chanters—"It's a Hundred to One You're From Washington;" and Miss Anita Lipp, 9-year old violinist.

Mrs. Frances Haskell, National Officer of the Daughters of the G. A. R., presented flags on behalf of that organization to the Governor, the Lieutenant-Governor, and the Speaker of the House.

The committee thereupon escorted His Excellency, Governor Clarence D. Martin, to the Governor's chambers.

On motion of Senator Orndorff, the Joint Session was dissolved.

At 3:50 o'clock p. m., the Senate reconvened in the Senate Chamber, President Meyers in the chair.

The Senate referred back to the fifth order of business.

Senator Lovejoy assumed the chair.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
 Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 101; also

House Concurrent Resolution No. 3, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
 Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 400, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Bill No. 101, also House Concurrent Resolution No. 3.

Senator Moe gave notice that at the proper time tomorrow he would move to reconsider the vote by which House Bill No. 123 passed the Senate.

At 4:52 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 11:30 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FORTY-SIXTH DAY

MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, February 23, 1939.

The Senate was called to order at 11:30 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant-Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Samuel Everton, of the Central Baptist Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

SPECIAL ORDER OF BUSINESS

Senate Bill No. 151:

On motion of Senator Maxwell, Senate Bill No. 151 was re-referred to the Committee on State Charitable Institutions for the purpose of amendment.

MOTION FOR RECONSIDERATION

House Bill No. 123:

Senator Moe, having on yesterday given notice that at the proper time today he would move to reconsider the vote by which House Bill No. 123 passed the Senate, moved that the Senate now reconsider the vote by which House Bill No. 123 passed the Senate yesterday.

The motion by Senator Moe carried.

Senator Kyle moved that the Senate refer back for the purpose of receiving an amendment.

The motion by Senator Kyle carried.

On motion of Senator Moe, the following amendment was adopted:

Amend the committee amendment by striking the first committee amendment to section 1.

The Secretary called the roll on the final passage of House Bill No. 123, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—41.

Absent or not voting: Senators Duggan, Keller, Rosellini, Sieler and Wanamaker—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

REPORT OF SPECIAL COMMITTEE

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, your special committee appointed to investigate the costs of producing and distributing milk and milk products, having made such an investigation as was possible while attending the present session of the legislature, wish to report the following:

We find that the milk producers of this state on the whole are facing a serious economic situation resulting not only from hard times and a poor season, but also apparently from a complicated feed problem, transportation difficulties, alternative markets, surplus production, low prices, and in some cases, from unsound operation.

We also find that this situation is further complicated by the fact that apparently those engaged in the distribution of milk and milk products are faced with considerable duplication of effort and equipment, substantial labor costs, occasional union difficulties, bad debts, other operating losses, alternative markets, varying prices, and so-called unwanted surpluses which many milk producers feel are frequently being diverted back into the fluid milk trade.

We find, in addition, that the consumers of milk and milk products are apparently not as numerous nor are their purchases as large as they might be, due not only to a decrease in purchasing power in recent years, but also to a great increase in milk and milk products substitutes, and to advertising campaigns which are often unsuitable and sometimes even harmful, to an increase in consumption and in new uses and users of milk and milk products.

We further find that it is impossible for this committee, during the short time it has had and while its members were in attendance at the session of the legislature, to complete its investigation of these problems and to study and work out satisfactory remedies for the same.

Now, therefore, we, the members of your special committee to investigate the cost of producing and distributing milk products, respectfully urge that the work which it has begun be carried on by an inter-session committee of three members, and that it be clothed with the necessary powers to further investigate these problems of the milk industry which our investigation leads us to believe exist, and that said committee be directed to report to the legislature at the 1941 session its findings thereon and its recommendations in connection therewith, and that a suitable appropriation be made therefor.

TED F. SCHROEDER, *Chairman.*

We concur in this report: D. E. McMillan, Chapin A. Mills.

The report of the committee was ordered received.

The Secretary read:

REPORTS OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 9, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Harold P. Troy, Joseph D. Roberts.

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 224, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Joseph D. Roberts, Robert T. McDonald, Harold P. Troy.

The reports were ordered received.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 209:

A majority of the Committee on Education recommended that Senate Bill No. 209 do pass.

A minority of the Committee on Education recommended that Senate Bill No. 209 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 177:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Engrossed House Bill No. 177 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 286:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that House Bill No. 286 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 111:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Senate Bill No. 111 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 376:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Senate Bill No. 376 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 361:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Senate Bill No. 361 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 181:

The Committee on Game and Game Fish recommended that House Bill No. 181 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 86:

The Committee on Game and Game Fish recommended that House Bill No. 86 do pass.

The report of the committee, together with the bill, was placed on general file.

Senator Sieler assumed the chair.

Senate Bill No. 359:

The Committee on Counties and County Boundaries recommended that Senate Bill No. 359 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 237:

A part of the Committee on Public Morals recommended that Senate Bill No. 237 do pass.

A part of the Committee on Public Morals recommended that Senate Bill No. 237 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 100:

A majority of the Committee on Industrial Insurance recommended that Engrossed House Bill No. 100 do pass.

A minority of the Committee on Industrial Insurance recommended that Engrossed House Bill No. 100 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 91:

The Committee on Industrial Insurance recommended that Engrossed House Bill No. 91 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 219:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Social Security, to whom was referred Senate Bill No. 219, entitled: "An Act relating to unemployment compensation, amending chapter 162 of the Laws of 1937, providing for the transfer of certain funds to the railroad unemployment insurance account in the United States treasury, making an appropriation and declaring an emergency", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 219, entitled: "An Act relating to unemployment compensation, amending chapter 162 of the Laws of 1937, providing for the transfer of certain funds to the railroad unemployment insurance account in the United States treasury, making an appropriation and declaring an emergency", be substituted therefor and that it do pass.

J. M. KOONTZ, *Chairman.*

We concur in this report: John H. Ferryman, Geo. F. McAulay, A. E. Edwards, Joseph Drumheller, Leroy L. Todd, Earl Maxwell, Kebel Murphy, C. F. Stinson, Pearl A. Wanamaker, G. B. Kerstetter, James T. Sullivan.

On motion of Senator Koontz, the committee report was received, Substitute Senate Bill No. 219 was considered as originally introduced, and ordered printed.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 13; also Engrossed Senate Bill No. 141; also Engrossed Senate Bill No. 142; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 43 with the following amendment:

In section 1, line 20 of the body of the engrossed bill, being line 13 of the printed bill, after the word "mark" strike the period (.) and insert a colon (:) and add the following:

"Provided, however, That no premium coupon, certificate or similar device shall be issued in connection with the sale of eggs and the products thereof, or milk and the products thereof.

"(a) If any section, subsection, clause or phrase of this act, or the act of which this is an amendment, is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act, or any act of which this act is an amendment. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more of the other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Wanamaker moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 43, and that the House be requested to recede therefrom.

The motion by Senator Wanamaker carried.

INTRODUCTION OF BILLS

Senate Bill No. 413, by Senator Schroeder, entitled: "An Act relating to the department of agriculture; providing for the operation and regulation of cold storage lockers; providing for permits and fees therefor, and the furnishing of insurance policies in connection therewith; providing standards of sanitation and quality; requiring the posting of terms, prices, and rates, and prescribing penalties."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Agriculture.

Senate Bill No. 414, by Senator Edwards, entitled: "An Act relating to copyrights and regulating the sale, licensing, or other disposition of the right publicly to perform for profit in the State of Washington, musical compositions and dramatico-musical compositions; and repealing chapter 218 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 415, by Senator Sieler, entitled: "An Act relating to the establishment of election precincts, and amending section 1 of chapter 178 of the Laws of 1921 (section 5171 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Senate Bill No. 416, by Senator Moe, entitled: "An Act creating a state board of examiners for plumbers, appointed by the state director of health, and defining its duties; providing for the granting and revocation by the state director of health, upon recommendation of said board, of certificates of competency to journeyman plumbers and master plumbers, and fixing fees for examination and certification; authorizing the state board of health to adopt and amend rules and regulations relating to examination and certification of plumbers; providing penalties and making an appropriation."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 417, by Senator Edwards, entitled: "An Act relating to revenue and taxation, imposing an excise with respect to the use of butter substitutes and prescribing the duties of certain officers in connection therewith, providing for the collection of such excise by sellers thereof, defining terms, prescribing penalties, repealing chapter 23, Laws of 1931, and all other conflicting acts, and declaring an emergency."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Dairy and Livestock.

Senate Bill No. 418, by Senator McAulay, entitled: "An Act relating to public highways, establishing, designating and describing secondary state highways as branches of Primary State Highway No. 7, and amending section 8 of chapter 207 of the Laws of 1937 (section 6402-8 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 419, by Senators Todd and Edwards, entitled: "An Act providing for the retirement of judges of the supreme and superior courts; fixing the amount of their retirement pay; and amending section 1, chapter 229, Laws of 1937 (section 11054-1 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Todd the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 420, by Committee on Roads and Bridges, entitled: "An Act relating to public highways; providing for traffic devices in incorporated cities and towns; defining the powers and duties of state and other officers; amending section 52 of chapter 53 of the Session Laws of 1937; and declaring an emergency."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate Bill No. 421, by Committee on Roads and Bridges, entitled: "An Act relating to motor vehicles; relating to the issuance of certificates of license registration and vehicle license plates; providing for fuel inspection; defining the powers and duties of certain state and other officers; defining terms; amending chapter 188 of the Session Laws of 1937; and declaring an emergency."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate Bill No. 422, by Senator Roberts, entitled: "An Act relating to public employees, providing for the granting of military leave, and declaring that this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Military.

Senate Bill No. 423, by Committee on Claims and Auditing, entitled: "An Act relating to appropriations and the making of expenditures and incurring of obligations thereunder; providing financial supervision and control over all state officers and state agencies, excepting the legislature and the judiciary, and the method thereof, and defining the powers and duties of certain officers with respect thereto; defining terms; transferring the division of budget to the Governor and defining his powers and duties with respect thereto; changing the name of the department of finance, budget and business; providing for the making of necessary rules and regulations; amending chapter 9 of the Laws of 1925 by adding two new sections thereto and amending chapter 7 of the Laws of 1921 by adding a new section thereto; and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate Bill No. 424, by Committee on Claims and Auditing, entitled: "An Act relating to and defining state funds; creating the contingent receipts fund and the liquor revolving fund; providing for the manner of disbursement of state funds from the state treasury; prescribing the powers and duties of certain state officers, agencies and employees in relation thereto; amending section 1 of chapter 133 of the Laws of 1909 and section 73 of chapter 62 of the Laws of 1933, Extraordinary Session; and declaring that this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

GENERAL FILE

Senate Bill No. 226:

On motion of Senator Duggan, Senate Bill No. 226 was re-referred to the Committee on Judiciary.

Senate Bill No. 379:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 18, 1939.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 379, entitled: "An Act relating to banks and banking and trust companies and authorizing banks to pledge or hypothecate assets to secure deposits of funds", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. GEO. F. McAULAY, *Chairman*.

We concur in this report: Kathryn E. Malstrom, Herbert H. Sieler, Thomas Voyce, Fred S. Duggan, Geo. A. Lovejoy.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

President Meyers assumed the chair.

The Secretary called the roll on the final passage of Senate Bill No. 379, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Those voting nay were: Senator Stinson—1.

Absent or not voting: Senators Klemgard and Maxwell—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate referred back to the second order of business for the purpose of receiving a committee report.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 79 and 80, have compared same with Engrossed Senate Bill No. 79 and the original Senate Bill No. 80, and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman*.

We concur in this report: A. M. Murfin, Mary Farquharson, W. C. Dawson, Monty Percival.

The report was ordered received.

GENERAL FILE

Senate Bill No. 23:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 6, 1939.

MR. PRESIDENT:

We, a majority of your Committee on State Granted, School and Tide Lands, to whom was referred Senate Bill No. 23, entitled: "An Act relating to the conveyance of state lands to cities of the first class for municipal park and playground purposes and the securing of the same where necessary by exchanging other state lands therefor and authorizing the director of conservation and development to assist in the development and decoration thereof.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 23, entitled: "An Act relating to the conveyance of state owned tide or shore lands to cities and towns for municipal park and/or playground purposes and the securing of the same where necessary by exchanging state owned tide or shore lands therefor and authorizing the director of conservation and development to assist in the development and decoration thereof." be substituted therefor and that it do pass.

....., *Chairman.*

We concur in this report: Monty Percival, J. P. Keller, Mary Farquharson, Alfred E. Holt, Lulu D. Haddon, Harold P. Troy.

Senate Chamber,
Olympia, Wash., February 6, 1939

MR. PRESIDENT:

We, a minority of your Committee on State Granted, School and Tide Lands, to whom was referred Senate Bill No. 23, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 23 be substituted therefor and that it do not pass.

F. L. MORGAN, *Chairman.*

We concur in this report:

On motion of Senator Maxwell, the majority report of the committee was adopted.

Substitute Senate Bill No. 23 was read the third time.

On motion of Senator Percival, the following amendments were adopted:

Amend section 1, line 2 of the printed bill by inserting after the word "town" the words "or metropolitan park district".

Amend section 1, line 3 of the printed bill by inserting after the word "town" the words "or metropolitan park district".

Amend section 1, line 10 of the printed bill by inserting after the word "town" the words "or metropolitan park district".

Amend section 1, line 12 of the printed bill by inserting after the word "town" the words "or metropolitan park district".

Amend section 2, line 14 of the printed bill by inserting after the word "town" the words "or metropolitan park district".

On motion of Senator Morgan, the following amendment was adopted:

Amend Sec. 2, line 28 of the original bill, being Sec. 2, line 17, page 1 of the printed bill, by inserting after the word "lands" the words: "in the same county".

On motion of Senator Percival, the following amendments were adopted:

Amend Sec. 2, line 18 of the printed bill, after the word "town" and before the word "as" insert "or metropolitan park district".

Amend Sec. 3, line 25, page 1 of the printed bill, after the word "town" and before the word "in" insert "or metropolitan park district".

On motion of Senator Wanamaker, the following amendment was adopted:

Amend Sec. 2, line 22, page 1 of the printed bill by adding the following words: "Upland owners shall be notified of such state owned tide or shore lands to be exchanged."

On motion of Senator Percival, the following amendment was adopted:

Amend the title in the 1st line of the printed bill by inserting after the word "towns" the words "and metropolitan park districts".

The Secretary called the roll on the final passage of Substitute Senate Bill No. 23, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Those voting nay were: Senator Murphy—1.

Absent or not voting: Senators Duggan, Klemgard, McAulay, Moe and Roup—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

The Speaker has signed House Concurrent Resolution No. 6, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

The Speaker has appointed as members of the committee provided for in House Concurrent Resolution No. 6, Representatives Riley (Edward F.), Fogg and Pearsall.
S. R. HOLCOMB, *Chief Clerk.*

The President signed House Concurrent Resolution No. 6, also Senate Bill No. 79, also Senate Bill No. 80.

House Joint Memorial No. 8:

Senator Todd assumed the chair.

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 18, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Memorials, to whom was referred House Joint Memorial No. 8, entitled: "Relating to the red cedar shingle industry of the state of Washington", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

RALPH METCALF, *Chairman.*

We concur in this report: Gordon Klemgard.

Senate Chamber,
Olympia, Wash., February 18, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Memorials, to whom was referred House Joint Memorial No. 8, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: N. P. Atkinson.

On motion of Senator Metcalf, the reports of the committee were received and the bill was read the third time.

Senators Orndorff, Kyle and Holt demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Joint Memorial No. 8, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Edwards, Metcalf, Mills, Morgan, Orndorff, Roberts, Sieler, Stinson, Troy and Voyce—12.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Murphy, Percival, Reardon, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd and Wanamaker—24.

Absent or not voting: Senators Dawson, Drumheller, Duggan, Keeler, Klemgard, Maxwell, McMillan, Moe, Murfin and Roup—10.

The memorial, having failed to receive the constitutional majority, was declared lost.

The President appointed Senators Lovejoy, Bloomer and McDonald to the Legislative Ball Committee in accordance with House Concurrent Resolution No. 6.

On motion of Senator Kyle, the committee appointment was confirmed.

Senate Bill No. 190:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 190, entitled: "An Act relating to sales, relating to and regulating the purchase, sale and transfer of goods, wares and merchandise, and restaurants, cafes, beer parlors, taverns, hotels, clubs and gasoline service stations, and fixtures and equipment, in bulk, providing penalties for violations thereof; and amending sections 5832, 5833, 5834 and 5835 of Remington's Revised Statutes", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Herbert H. Sieler, Clifford O. Moe, Harold P. Troy, F. L. Morgan, H. I. Kyle, Leroy L. Todd, Ralph Metcalf, Mary Farquharson, Earl Maxwell.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senators Holt, Farquharson, Kyle, Voyce, Edwards, Thomas, Murphy and Maxwell demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors, the Secretary called the roll, all members of the Senate being present.

On motion of Senator Edwards, the call of the Senate was ordered dispensed with.

Senators Drumheller, Holt and Rosellini demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 190, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Mills, Reardon and Sieler—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 257:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate Bill No. 257, entitled: "An Act relating to the vacation of the DesChutes waterway in the city of Olympia.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. L. MORGAN, *Chairman.*

We concur in this report: Monty Percival, Alfred E. Holt, J. P. Keller, Harold P. Troy, Mary Farquharson.

On motion of Senator Morgan, the report of the committee was received and the bill was read the third time.

Senators McAulay, Drumheller and Keeler demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 257, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Keeler, Maxwell, McDonald, Moe, Reardon and Sieler—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Meyers assumed the chair.

Senate Bill No. 110:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 110, entitled: "An Act relating to flood control and the powers and duties of the supervisor of hydraulics relative thereto and amending sections 6 and 7, chapter 159, Laws of 1935", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HERBERT H. SIELER, *Chairman.*

We concur in this report: F. L. Morgan, K. W. Reardon, Ted F. Schroeder, J. W. Henderson.

On motion of Senator Sieler, the report of the committee was received and the bill was read the third time.

Senators Keller, Drumheller and Kyle demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 110, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Absent or not voting: Senator Bloomer—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 272:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 272, entitled: "An Act giving consent of the state to the acquisition of lands by the United States as sites for forts, magazines, arsenals, dockyards and other needful buildings or for other purposes, ceding concurrent jurisdiction over lands so acquired subject to certain limitations and conditions and repealing sections 8108 and 8109, Rem. Rev. Stat., and all other acts and parts of acts inconsistent herewith but saving jurisdiction thereby ceded.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman.*

We concur in this report: F. L. Morgan, W. R. Orndorff, James T. Sullivan, Ralph Metcalf, Albert D. Rosellini, N. P. Atkinson, Kebel Murphy, Pearl A. Wanamaker, Joseph D. Roberts, Alfred E. Holt.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 272, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Bloomer, Dawson and Todd—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Joint Memorial No. 11:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 18, 1939.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Joint Memorial No. 11, "Relating to completion of the Lewis and Clark Highway", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

RALPH METCALF, *Chairman*.

We concur in this report: Gordon Klemgard, N. P. Atkinson.

On motion of Senator Metcalf, the report of the committee was received and the memorial was read the third time.

Senators Kyle, McAulay and Orndorff demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 11, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Absent or not voting: Senator Klemgard—1.

The memorial, having received the constitutional majority, was declared passed.

Senate Bill No. 161:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 161, entitled: "An Act relating to the directors of flood control districts and amending section 53, chapter 160 of the Laws of 1935.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HERBERT H. SIELER, *Chairman*.

We concur in this report: F. L. Morgan, K. W. Reardon, Ted F. Schroeder, J. W. Henderson.

On motion of Senator Sieler, the report of the committee was received and the bill was read the third time.

Senator Sieler moved the adoption of the following amendment:

Amend section 1, line 12 of the printed bill by striking the period (.) after the word "clerk", inserting a colon (:) in lieu thereof, and adding the following: "*And provided further, That when such a district is established partly within and partly outside of the boundaries of such a city or town, one director of such district shall be appointed by the governing body of said city or town, one director shall be appointed by the board of county commissioners of the county in which such district is located and the third shall be chosen by the two directors so appointed; and the county auditor shall be clerk of such board and its records shall be kept in the office of the board of county commissioners.*"

Senator Murfin moved that Senate Bill No. 161 be placed at the head of the calendar tomorrow.

The motion by Senator Murfin carried.

The Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

Senator Reardon assumed the chair.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 81 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 10 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 79; also Senate Bill No. 80; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

At 2:08 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FORTY-SEVENTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Friday, February 24, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all senators were present except Senator Moe.

Reverend Samuel Everton, of the Central Baptist Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

SENATE RESOLUTION

By Senator Kyle:

WHEREAS, Charges have been made of misfeasance and malfeasance in the conduct of the Department of Public Service and particularly with respect to the conduct of the Director of said Department in apparently espousing the cause of privately owned utilities operating in the State of Washington, and

WHEREAS, There is widespread apprehension among the people of this state, that the attitude of the Director of the Department of Public Service toward such private utilities is such as to preclude the proper performance of the duties imposed upon him and his department by law as guardian of the public interest, where the interest of the the public and of such private utilities conflict, and

WHEREAS, This legislature will soon be faced with the necessity of appropriating funds to carry on the work of said Department of Public Service and should be informed as to the past conduct of said Department and the attitude of its Director and his subordinates toward the private utilities which they are required to regulate,

Now, Therefore, *Be It Resolved by the Senate of the State of Washington*, That a committee be and the same is hereby created, consisting of three members of the Senate to be appointed by the President of the Senate, for the purpose of investigating the conduct, management and affairs of said Department of Public Service, with full power to hold sessions at the office of said Department and elsewhere, to administer oaths, to subpoena, compel the attendance of, and examine witnesses, to compel the production of all books and papers connected with said Department of Public Service and to require the Director of said Department to submit to said committee all reports, vouchers, books, papers and correspondence in his possession or under his control relative to the conduct and operation of said Department, and

Be It Further Resolved, That said committee be authorized and empowered to employ the services of such senate employees as may be necessary and to accept the services of any other employee of the State of Washington as may be available for the purposes of said investigation, and to pay out of funds already appropriated for the expenses of this legislature, any witness fees and any other necessary expenses incurred by said committee in the conduct of said investigation, said expenses not to exceed Two Hundred Fifty (\$250.00) dollars, and

Be It Further Resolved, That said committee shall submit its report and recommendations to the Senate not later than March 4, 1939.

Senator Drumheller moved that the resolution submitted by Senator Kyle be indefinitely postponed.

Senators Maxwell, Drumheller and Shorett demanded the previous question.

The previous question was ordered.

The President Pro Tempore announced that the question is now on the indefinite postponement of the resolution offered by Senator Kyle.

Senators Thomas, Maxwell, Drumheller, Farquharson, Malstrom, Roberts, Kerstetter and Murphy demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Drumheller to indefinitely postpone the resolution offered by Senator Kyle carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Sieler and Wanamaker—29.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Shorett, Stinson, Sullivan, Thomas, Todd and Voyce—14.

Absent or not voting: Senators Moe, Schroeder and Troy—3.

The Secretary read:

Senate Joint Memorial No. 12, by Senators Wanamaker and Keeler: "Asking Congress to appropriate three hundred thousand dollars (\$300,000) for dredging Keystone Harbor to Crocket Lake and constructing a breakwater."

The memorial was read the first time, and on motion of Senator Wanamaker the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Substitute Senate Bill No. 23, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman*.

We concur in this report: Harold P. Troy, Robert T. McDonald, Joseph D. Roberts, Paul G. Thomas.

The report was ordered received.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 13, 142 and 141, have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman*.

We concur in this report: A. M. Murfin, Monty Percival, W. C. Dawson, Mary Farquharson.

The report was ordered received.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 321:

The Committee on Mines and Mining recommended that Senate Bill No. 321 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 104:

The Committee on State Charitable Institutions recommended that Engrossed House Bill No. 104 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 403:

The Committee on State Charitable Institutions recommended that Senate Bill No. 403 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 93:

The Committee on Fisheries recommended that Senate Bill No. 93 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 412:

The Committee on Fisheries recommended that Senate Bill No. 412 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 357:

The Committee on Judiciary recommended that Senate Bill No. 357 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 91:

The Committee on Judiciary recommended that Senate Bill No. 91 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 396:

The Committee on Roads and Bridges recommended that Senate Bill No. 396 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 395:

The Committee on Roads and Bridges recommended that Senate Bill No. 395 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 392:

The Committee on Roads and Bridges recommended that Senate Bill No. 392 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 391:

The Committee on Roads and Bridges recommended that Senate Bill No. 391 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 394:

The Committee on Roads and Bridges recommended that Senate Bill No. 394 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 393:

The Committee on Roads and Bridges recommended that Senate Bill No. 393 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 123 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Senate Bill No. 425, by Senator Kyle, entitled: "An Act relating to and providing for the perpetuation of testimony of witnesses in judicial proceedings, prescribing procedure therefor, and amending section 17 of chapter 19 of the Laws of 1891, and sections 424 and 427 of the Code of 1881."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 426, by Senator McAulay, entitled: "An Act relating to campaign receipts and expenditures, requiring the filing of statement thereof, and prescribing penalties."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Senate Bill No. 427, by Committee on Rules and Joint Rules, entitled: "An Act relating to the care, support and relief of needy persons; defining terms; providing necessary means and procedure for the furnishing of public assistance to such persons; defining need and resources to govern the determination of eligibility of persons to assistance under this act, and fixing the responsibility of certain relatives with respect to support of needy persons; creating and/or defining the powers and duties of certain state and county officers in connection with the administration of public assistance; providing for appeals in certain cases; imposing penalties for violations of the act; providing for the levy of taxes; making appropriations; repealing chapter 180, Laws of 1937, and all acts or parts of acts in conflict herewith, and declaring an emergency whereby the act shall become effective April 1, 1939."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

Senate Bill No. 428, by Senator Morgan, entitled: "An Act relating to revenue and taxation, providing for appeals to the tax commission from local boards of equalization and amending section 6, chapter 280 of the Laws of 1927 (section 11092 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senator Rosellini gave notice that at the proper time tomorrow he would move to reconsider the vote by which the resolution offered by Senator Kyle was indefinitely postponed.

GENERAL FILE

Senate Bill No. 161:

The Senate resumed consideration of Senate Bill No. 161, which was read the third time yesterday.

Senator Sieler requested permission of the Senate to withdraw the amendment which he offered on yesterday to Senate Bill No. 161.

On motion of Senator Keeler, the Senate granted permission to Senator Sieler to withdraw the amendment proposed by him on yesterday to Senate Bill No. 161.

On motion of Senator Morgan, the following amendments were adopted:

Amend section 1, line 4, page 1 of the printed bill by striking the sentence beginning "The directors of a flood control district * * * *." and inserting in lieu thereof the words: "The county commissioners of the county in which a flood control district is located shall be ex-officio the directors of such flood control district."

Amend section 1, lines 10 and 11, page 1 of the printed bill by striking the words "the directors of the said flood control district shall be ex-officio the members of the governing body of such city or town" and inserting in lieu thereof the words: "the members of the governing body of such city or town shall be ex-officio the directors of the said flood control district."

The Secretary called the roll on the final passage of Senate Bill No. 161 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—40.

Absent or not voting: Senators Dawson, Ferryman, Keller, Klemgard, Koontz and Troy—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 83:

The Secretary read:

REPORTS OF STANDING COMMITTEESenate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, a part of your Committee on Industrial Insurance, to whom was referred Senate Bill No. 83, entitled: "An Act relating to industrial insurance and the care of injured workmen; and amending section 6 of chapter 310 of the Laws of 1927; sections 7, 9 and 11 of chapter 136 of the Laws of 1923; section 9 of chapter 182 of the Laws of 1921; section 14 of chapter 28 of the Laws of 1917; and section 4 of chapter 188 of the Laws of 1915", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend Sec. 3, page 3, line 4 of the original bill, the same being Sec. 3, page 2, line 19 of the printed bill by striking the word "sanipractic" and the comma (,) following.

Amend Sec. 4, page 3, line 26 of the original bill, the same being Sec. 4, page 2, line 37 of the printed bill by striking the word "sanipractic".

Amend Sec. 5, page 6, lines 26 and 27 of the original bill, the same being Sec. 5, page 4, line 25 of the printed bill by striking the word "sanipractic" and the comma (,) following.

Amend Sec. 6, page 7, line 4 of the original bill, the same being Sec. 6, page 4, line 32 of the printed bill by striking the word "sanipractic" and the comma (,) following.

Amend Sec. 6, page 7, line 8 of the original bill, the same being Sec. 6, page 4, line 36 of the printed bill by striking the word "sanipractic" and the comma (,) following.

Amend Sec. 6, page 7, line 11 of the original bill, the same being Sec. 6, page 4, line 38 of the printed bill by striking the word "sanipractic" and the comma (,) following.

Amend Sec. 7, page 7, line 21 of the original bill, the same being Sec. 7, page 5, line 1 of the printed bill by striking the word "sanipractic" and the comma (,) following.

Amend the bill by adding thereto a new section to be known as Sec. 8, to read as follows:

"Nothing contained herein shall be construed to prevent the director of labor and industries from transferring an injured workman from one branch of the healing arts to another thereof, when in his opinion such transfer is necessary for the efficient cure of the injured workman."

G. B. KERSTETTER, *Chairman.*

We concur in this report: F. L. Morgan, Clifford O. Moe, Harold P. Troy.

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, a part of your Committee on Industrial Insurance, to whom was referred Senate Bill No. 83, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: W. C. Dawson, J. W. Henderson.

On motion of Senator Bloomer, the reports of the committee were received and the bill was read the third time.

On motion of Senator Bloomer, the committee amendment to section 3, page 3, line 4 of the original bill was adopted.

On motion of Senator Bloomer, the committee amendment to section 4 was adopted.

Senator Bloomer moved that the committee amendment to Sec. 5, page 6, line 26 of the original bill be adopted.

Senator Holt moved that the motion by Senator Bloomer be laid on the table.

The motion by Senator Holt failed to carry.

The President Pro Tempore announced that the question was now on the adoption of the committee amendment to Sec. 5, page 6, line 26 of the original bill.

The motion by Senator Bloomer carried.

On motion of Senator Kyle, the following amendment was adopted:

Amend Sec. 2, line 9, page 2 of the printed bill, after the asterisks and before the word "professional", strike the word "their" and insert in lieu thereof the word "his".

On motion of Senator Bloomer, the committee amendment to Sec. 6, page 7, line 4 of the original bill, also Sec. 6, page 7, line 8 of the original bill, also Sec. 6, page 7, line 11 of the original bill, also Sec. 7, page 7, line 21 of the original bill, were adopted.

Senator Kerstetter moved that the committee amendment adding to the bill a new section to be known as Sec. 8, be adopted.

Senator Klemgard moved that Senate Bill No. 83 be re-referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

Senator Bloomer moved that the motion of Senator Klemgard be laid on the table.

Senators Drumheller, Wanamaker and Koontz demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors, the Secretary called the roll, all Senators being present except Senators Murfin, Murphy and Troy.

The Sergeant-at-Arms was ordered to bring to the floor of the Senate the absent Senators.

Senator Kerstetter moved that the Senate proceed under the call of the Senate.

Senator Drumheller moved that the Senate dispense with further proceedings under the call of the Senate.

The motion by Senator Drumheller carried.

The President announced that the question was on the motion of Senator Bloomer to lay the motion of Senator Klemgard on the table.

The motion by Senator Bloomer failed to carry.

Senators Drumheller, Kerstetter, Malstrom, Voyce, Kyle, Atkinson, Sullivan, Farquharson and Thomas demanded a roll call on the motion by Senator Klemgard.

A roll call was ordered.

Senators Kyle, McDonald and Todd demanded the previous question.

The previous question was ordered.

The President announced that the question now before the Senate was on the motion by Senator Klemgard to re-refer Senate Bill No. 83 to the Committee on Medicine, Dentistry, Pure Food and Drugs.

The Secretary called the roll and the motion by Senator Klemgard failed to carry by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Keeler, Keller, Klemgard, Koontz, McAulay, McDonald, McMillan, Mills, Murfin, Orndorff, Reardon, Roberts, Roup and Wanamaker—21.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Ferryman, Holt, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Metcalf, Moe, Morgan, Percival, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—23.

Absent or not voting: Senators Murphy and Schroeder—2.

The motion by Senator Kerstetter that the committee amendment, adding to the bill a new section to be known as Sec. 8, be adopted, carried.

The Secretary read the title of the act.

Senators Farquharson, Kyle and Kerstetter demanded a call of the Senate. A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate.

The Secretary called the roll, all members being present.

On motion of Senator Kyle, the Senate proceeded under the call of the Senate.

Senators Kyle, Orndorff and Rosellini demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 83, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Farquharson, Ferryman, Holt, Kerstetter, Kyle, Lovejoy, Malstrom, Metcalf, Moe, Morgan, Murfin, Murphy, Percival, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—26.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Haddon, Henderson, Keeler, Keller, Klemgard, Koontz, Maxwell, McAulay, McDonald, McMillan, Mills, Orndorff, Reardon, Roberts, Roup and Wana-maker—20.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Kerstetter, further proceedings under the call of the Senate were dispensed with.

Senator McDonald assumed the chair.

Senate Bill No. 304:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 14, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 304, entitled: "An Act relating to the regulation and control of water within the State of Washington, providing for the filing of applications therefor, fixing fees, giving notice of hearing thereon and amending section 1 of chapter 161 of the Laws of 1925 (section 7381 of Remingtons Revised Statutes) and section 4 of chapter 122 of the Laws of 1929 (section 7382 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. F. MCAULAY, *Chairman.*

We concur in this report: J. W. Henderson, D. E. McMillan, Ted F. Schroeder, Clifford O. Moe, J. M. Koontz, A. E. Edwards.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 304, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Those voting nay were: Senator Murphy—1.

Absent or not voting: Senators Dawson, Drumheller, Mills, Reardon and Shorett—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 348:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 348, entitled: "An Act relating to electrical construction and maintenance and use of electric wires, apparatus and appliances, amending section 1 of chapter 130 of the Laws of 1913 (section 5435 of Remington's Revised Statutes), and section 1 of chapter 105 of the Laws of 1937 (section 5437 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 20, page 1 of the printed bill, being line 2, page 2 of the original bill by striking the word "single" and inserting in lieu thereof the word "signal".

Amend section 2, line 12, page 7 of the printed bill, being page 12, line 5 of the original bill by striking everything following the word "Section" and inserting in lieu thereof the following:

* * * * 1. All wires, cables, poles, electric fixtures and appliances of every kind being used or operated at the time of the passage of this act, shall be changed, and made to conform to the provisions of chapter 130 of the Session Laws of Washington, 1913 (section 5435 of Remington's Revised Statutes of Washington), on or before the 1st day of July. * * * * 1946: *Provided, however,* That the director of labor and industries of Washington shall have power, upon reasonable notice, to order and require the erection of all guards, protective devices, and methods of protection which in the judgment of the director are necessary and should be constructed previous to the expiration of the time fixed in this section: *Provided, further,* That nothing in this act shall apply to manholes already constructed, except the provisions for guards, sanitary conditions, drainage and safety appliances specified in rules 20, 24, 26, 29, 30, 31 and 32."

FRED S. DUGGAN, *Chairman.*

We concur in this report: Mary Farquharson, Ralph Metcalf, Leroy L. Todd, F. L. Morgan, Judson W. Shorett, Harold P. Troy, Clifford O. Moe, H. I. Kyle, Earl Maxwell.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Kyle, the committee amendment to section 1, line 20, page 1 of the printed bill was adopted.

On motion of Senator Duggan, the committee amendment to section 2,

line 12, page 7 of the printed bill was adopted.

On motion of Senator Klemgard, the following amendments were adopted:

Amend section 1, rule 1, line 8, page 1 of the printed bill, after the word "a" and before the word "of" strike the word "current" and insert in lieu thereof the word "potential".

Amend section 1, rule 2, line 4, page 2 of the printed bill, after the word "a" and before the word "of" strike the word "current" and insert in lieu thereof the word "potential".

Amend section 1, rule 3, line 18, page 2 of the printed bill, after the word "a" and before the word "of" strike the word "current" and insert in lieu thereof the word "potential".

Amend section 1, rule 3, line 22, page 2 of the printed bill, after the word "a" and before the word "or" strike the word "current" and insert in lieu thereof the word "potential".

Amend section 1, rule 4, line 39, page 2 of the printed bill, after the word "a" and before the word "of" strike the word "current" and insert in lieu thereof the word "potential".

Amend section 1, rule 25, line 37, page 5 of the printed bill, after the word "a" and before the word "of" strike the word "current" and insert in lieu thereof the word "potential".

The Secretary called the roll on the final passage of Senate Bill No. 348, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Drumheller, McAulay, Reardon and Sieler—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 268:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 268, entitled: "An Act relating to the resources of the state, providing for surveys thereof and plans for conservation, development and utilization of the same by the state planning council; and amending sections a and 3 of chapter 54 of the Laws of 1933, Extraordinary Session, being sections 10930-2 and 10930-3, Remington's Revised Statutes", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, lines 15 and 16 of the printed bill, being line 23 of the original bill by striking the asterisks "* * * *", and inserting in lieu thereof the following:

" : *Provided, however,* That nothing in this act shall be construed to apply to the natural water power resources of the state or to any publicly owned utility and/or electrical transmission and/or distribution system: *Provided, further,* That nothing in this act shall be construed to apply to state lands".

FRED S. DUGGAN, *Chairman.*

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Herbert H. Sieler, Clifford O. Moe, H. I. Kyle, F. L. Morgan.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendments were adopted. Senator Atkinson moved that the following amendment be adopted:

Amend section 2, line 19 of the printed bill, by striking Sec. 2 to the words "The council", line 2, page 2.

On motion of Senator Orndorff, the amendment was laid on the table.

The Secretary called the roll on the final passage of Senate Bill No. 268, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sullivan, Todd and Wanamaker—35.

Those voting nay were: Senators Atkinson and Thomas—2.

Absent or not voting: Senators Bloomer, Drumheller, Koontz, McAulay, McMillan, Sieler, Stinson, Troy and Voyce—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 223:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 17, 1939.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 223, entitled: "An Act relating to the investment of funds held in trust by corporations doing a trust business, and amending section 20 of chapter 42 of the Laws of 1933 (section 3255n of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.
Geo. F. McAULAY, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Joseph D. Roberts, Herbert H. Sieler, Henry J. Copeland, Thomas Voyce, Geo. A. Lovejoy.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

Senator Reardon assumed the chair.

The Secretary called the roll on the final passage of Senate Bill No. 223, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sullivan, Thomas, Todd, Voyce and Wanamaker—39.

Those voting nay were: Senators Morgan and Murphy—2.

Absent or not voting: Senators Farquharson, McMillan, Sieler, Stinson and Troy—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 47 with the following amendments:

In section 1, line 7, of the engrossed substitute bill, being line 5 of the printed substitute bill, after the period (.) following the word "defined" strike the following sentence: "The legislature hereby further expressly declares that it was its intent in the enactment of the aforesaid statutes to confine grants of old age assistance to such persons as were actually in need thereof as that term is hereinafter defined."

In section 1, lines 11 and 12, of the engrossed substitute bill, being lines 8 and 9 of the printed substitute bill, after the word "Washington" strike the comma (,) and the word "therefore" and the comma (,) following the word "therefore".

In section 1, line 13, of the engrossed substitute bill, being line 9 of the printed substitute bill, strike the following words: "and/or judgments".

In section 1, line 17, of the engrossed substitute bill, being lines 12 and 13 of the printed substitute bill, strike the following words: "or judgment".

In section 1, line 18, of the engrossed substitute bill, being line 13 of the printed substitute bill, strike the following words: "or judgment".

Amend the bill by adding thereto a new section to be known as section 2 to read as follows:

"Sec. 2. That section 4, chapter 182, Laws of 1935, as amended by section 2, chapter 156, Laws of 1937, (section 9998-4, Remington's Revised Statutes) be amended to read as follows:

"Section 4. It shall be the duty of the department of social security to provide adequately for those eligible for old age assistance under the provisions of this act. The amount and nature of old age assistance which any such person shall receive, and the manner of providing it, shall be determined by the said department with due regard to the conditions existing in each case; but such assistance together with the applicant's * * * * resources as defined in this act * * * * shall not * * * * exceed the sum of Thirty Dollars (\$30) per month to each recipient: *Provided*, That in the event Federal participation shall be granted in excess of Fifteen Dollars (\$15) a month per recipient, the maximum may be increased to twice the amount that may be recovered for each recipient from Federal sources. The old age assistance may include, among other things, medical and surgical and hospital care and nursing."

In section 2, page 1, line 25 of the body of the engrossed substitute bill, being page 1, line 19 of the printed substitute bill, after the word "assistance" and before the word "to" insert the word "is".

In section 2, page 2, line 8, of the engrossed substitute bill, being line 24, page 1 and line 1, page 2, of the printed substitute bill, after the word "to" and before the figure "(1)", strike the word "include" and insert in lieu thereof the word "be".

In section 2, page 2, line 10, of the engrossed substitute bill, being line 2, page 2, of the printed substitute bill, after the figure "(2)" and before the word "real", insert the following words: "ability of relatives within the classes described in this section to contribute to such support: *Provided*, That where such relative or relatives shall refuse to so contribute such officer may, in his discretion and upon written findings of fact filed by him, determine that ability of a relative or relatives to so contribute shall not constitute a resource sufficient to render the applicant ineligible to assistance and (3)".

In section 2, page 2, line 10, of the engrossed substitute bill, being line 2, page 2, of the printed substitute bill, after the word "organizations" and before the figure "(2)", strike the word "and" and insert in lieu thereof a comma (,).

In section 2, page 2, lines 24 and 25, of the engrossed substitute bill, being page 2, line 12, of the printed substitute bill, after the word "daughters" and before the word "re-siding" insert the following words: "of legal age".

Amend the bill by renumbering section 2 to read "Sec. 3".

Amend the bill by renumbering section 3 to read "Sec. 4".

Amend the bill by adding thereto a new section to be known as section 5 to read as follows: "Sec. 5. If any section or provision of this act be held invalid by a court of competent jurisdiction, the same shall not affect the validity of the act as a whole or any part thereof other than the portion so held to be invalid."

In lines 1 and 2 of the title, strike the words "declaring legislative intent in relation thereto" and insert in lieu thereof the following: "prescribing the maximum amount thereof, amending section 4, chapter 182, Laws of 1935, as amended by section 2, chapter 156, Laws of 1937", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senators Maxwell, Drumheller and Duggan demanded a call of the Senate. A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present except Senators Farquharson, McMillan, Mills, Stinson and Troy.

The Sergeant-at-Arms was ordered to bring the absent Senators to the floor of the Senate.

On motion of Senator Maxwell, the Senate proceeded under the call of the Senate.

Senator Kyle moved that the Senate do not concur in the House amendment to section 1, line 7, of the engrossed substitute bill, being line 5 of the printed substitute bill.

On motion of Senator Drumheller, the motion was laid on the table.

Senator Drumheller moved that the Senate concur in the House amendments to Engrossed Substitute Senate Bill No. 47.

Senator Kyle moved that Engrossed Substitute Senate Bill No. 47 be made a special order of business for 10:30 o'clock a. m. tomorrow.

On motion of Senator Maxwell, the motion of Senator Kyle was laid on the table.

Senator Malstrom moved that Engrossed Substitute Senate Bill No. 47, as amended, be indefinitely postponed.

Senator Keeler moved that the motion by Senator Malstrom be laid on the table.

Senators Sullivan, Kerstetter, Kyle, Atkinson, Malstrom, Rosellini, Voyce and Morgan demanded a roll call.

A roll call was ordered.

The Secretary called the roll, all members being present.

Senator Bloomer arose to a question of personal privilege.

President Pro Tem Reardon ruled Senator Bloomer out of order.

Senators Bloomer, Morgan and Atkinson appealed from the decision of the chair.

Senator Duggan assumed the chair.

Senators Drumheller, Murfin and Keeler demanded the previous question.

Senator Duggan announced that the question now before the Senate is: "Shall the previous question be now put?"

The previous question was ordered.

The Chair announced that the question now before the Senate is: "Shall the ruling of the Chair stand as the judgment of the Senate?"

The ruling of the Chair was sustained.

Senator Reardon assumed the chair.

The Chair announced that the question now before the Senate is on the motion by Senator Keeler to lay the motion of Senator Malstrom on the table.

Senators Kyle, Sullivan, Malstrom, Ferryman, Voyce, Atkinson, Thomas and Kerstetter demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Keeler to lay the motion of Senator Malstrom on the table carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Stinson, Troy and Wanamaker—30.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Shorett, Sieler, Sullivan, Thomas, Todd and Voyce—16.

Senators Drumheller, Maxwell and Keeler demanded the previous question.

The previous question was ordered.

The President Pro Tem announced that the question now before the Senate is on the motion by Senator Drumheller that the Senate concur in the House amendments to Engrossed Substitute Senate Bill No. 47.

The Secretary called the roll and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Stinson, Troy and Wanamaker—31.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sieler, Sullivan, Thomas, Todd and Voyce—15.

The motion to concur in the House amendments having received the necessary majority was declared carried.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 47, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Stinson, Troy, and Wanamaker—31.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sieler, Sullivan, Thomas, Todd and Voyce—15.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumbheller further proceedings under the call of the Senate were dispensed with.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving reports of standing committees.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 227:

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 227 do pass with certain amendments.

A minority of the Committee on Revenue and Taxation recommended that Senate Bill No. 227 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 166:

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 166 do pass with an amendment.

A minority of the Committee on Revenue and Taxation recommended that Senate Bill No. 166 do not pass.

The reports of the committee, together with the bill, were placed on general file.

At 1:53 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 3:00 o'clock p. m.

AFTERNOON SESSION

The Senate re-convened at 3:00 o'clock p. m., President Pro Tempore Reardon in the chair.

GENERAL FILE

Senate Bill No. 336:

On motion of Senator Schroeder, it was ordered that Senate Bill No. 336 be laid over and that it hold its place on the calendar tomorrow.

Senate Bill No. 207:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 207, entitled: "An Act relating to revenue and taxation, providing for the re-assessment and re-taxation of property, amending sections 1, 2, 4 and 6, chapter 106, Laws of 1931, being sections 11301, 11302, 11304, and 11306 of Remington's Revised Statutes, and providing that the act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the bill by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. That section 2, chapter 106, Laws of 1931, being section 11302, Remington's Revised Statutes, be amended to read as follows:

"Section 2. Whenever it shall * * * * be alleged in any protest accompanying the payment of taxes heretofore or hereafter filed with any county or state board or officer, or in any petition or complaint heretofore or hereafter served or filed in any court for or on behalf of such taxpayer * * * * , or whenever it shall be decreed by judgment of any court that any error in taxation * * * * has occurred in the assessment or taxation heretofore or hereafter made of any property taxable in this state, * * * * such property * * * * may, in the manner provided in this act, be re-listed, re-valued, re-assessed and re-taxed for the year or years in the assessment and taxation of which such error or errors in taxation was or were * * * * claimed or decreed: *Provided, however, That except upon order of a court of competent jurisdiction there shall not be more than one re-assessment and/or re-taxation proceeding under the provisions of this act, relating to the same property for the same year's taxes. In the first court proceedings contesting the valuation placed upon any property for taxation purposes for a given period, the judgment entered on the merits shall be without prejudice to a re-assessment as provided in this act.*

"Sec. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately."

Amend the title by striking the whole thereof and inserting in lieu thereof the following:

"An Act relating to revenue and taxation and prescribing the powers and duties of courts in relation thereto, providing for the re-assessment and re-taxation of property, amending section 2, chapter 106, Laws of 1931, being section 11302, Remington's Revised Statutes, and declaring an emergency."

A. M. MURFIN, *Chairman.*

We concur in this report: W. R. Orndorff, James T. Sullivan, Kebel Murphy, Keiron W. Reardon, Alfred E. Holt, N. P. Atkinson, Ralph Metcalf, Albert D. Rosellini.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

On motion of Senator Murfin, the following amendment to the committee amendment was adopted:

Amend the committee amendment by striking the last sentence in section 1, said sentence being underscored.

On motion of Senator Murfin, the committee amendments to the bill, as amended, were adopted.

On motion of Senator Murfin, the committee amendment to the title was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 207, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Ferryman, Haddon, Henderson, Holt, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Absent or not voting: Senators Duggan, Farquharson, Keeler, Keller, Klemgard, McAulay, Moe, Roup, Sieler and Stinson—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 420, by Committee on Roads and Bridges, entitled: "An Act relating to public highways; providing for traffic devices in incorporated cities and towns; defining the powers and duties of state and other officers; amending section 52 of chapter 53 of the Session Laws of 1937; and declaring an emergency", was read the third time.

On motion of Senator Kyle, the following amendment was adopted:

Amend section 1, line 21, page 1 of the printed bill, after the word "therefore" and before the word "chargeable" by striking the word "by" and inserting in lieu thereof the word "be".

The Secretary called the roll on the final passage of Senate Bill No. 420, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Shoret, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—34.

Those voting nay were: Senators Mills, Morgan, Murphy, Sieler and Stinson—5.

Absent or not voting: Senators Duggan, Farquharson, Keller, Klemgard, McAulay, Roup and Schroeder—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 300:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Commerce and Manufacturing, to whom was referred Senate Bill No. 300, entitled: "An Act regulating the advertising and sale of second-hand watches and providing penalties for the violation thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. C. DAWSON, *Chairman.*

We concur in this report: Lulu D. Haddon, Albert D. Rosellini, Joseph D. Roberts.

On motion of Senator Dawson, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 300, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Kerstetter, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Stinson, Sullivan, Troy and Wanamaker—33.

Those voting nay were: Senators Atkinson, Morgan, Murphy, Thomas, Todd and Voyce—6.

Absent or not voting: Senators Duggan, Haddon, Keller, Klemgard, Kyle, Roup and Schroeder—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Maxwell, the rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 8; also
House Bill No. 10; also
House Bill No. 58; also
House Bill No. 325, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Senate Bill No. 43 and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk.*

Senator Sieler moved that Engrossed Senate Bill No. 43 be returned to the Senate so that the Senate may concur in the House amendments.

The motion by Senator Sieler carried.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving standing committee reports.

REPORTS OF STANDING COMMITTEES

Senate Joint Resolution No. 4:

A majority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 4 do pass with certain amendments.

A minority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 4 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Joint Resolution No. 14:

A majority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 14 do pass with certain amendments.

A minority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 14 do not pass.

A minority of the Committee on Constitutional Revision reported Senate Joint Resolution No. 14 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Joint Resolution No. 9:

A majority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 9 do pass.

A minority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 9 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 402:

The Committee on Compensation and Fees for State and County Officers recommended that Senate Bill No. 402 do not pass.

The report of the committee, together with the bill, was placed on general file.

GENERAL FILE

Senate Bill No. 251:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 251, entitled: "An Act relating to counting the funds and examining certain accounts of county, city and town treasurers, defining the duties of certain county, city and town officials, providing for filing reports, prescribing penalties, for violation thereof, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 13 of the printed bill, being line 23 of the original bill by striking the word "two" and inserting in lieu thereof the word "ten".

FRED S. DUGGAN, *Chairman.*

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Herbert H. Sieler, Clifford O. Moe, H. I. Kyle, F. L. Morgan.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Lovejoy, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 251, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Duggan, Haddon, Keller, Klemgard, Roup and Schroeder—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the Senate referred back to the fourth order of business for the purpose of receiving a message from the Governor.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, February 24, 1939.

CLARENCE D. MARTIN, *Governor*

To the Honorable, The Senate of the State of Washington:

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

Senate Bill No. 400: "An Act appropriating the sum of fifty-eight thousand dollars (\$58,000), or so much thereof as may be necessary for the expenses of the twenty-sixth legislature and declaring an emergency."

Senate Bill No. 79: "An Act declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to undertake slum clearance and projects to provide dwelling accommodations for persons of low income; creating

such housing authorities in cities and in counties; defining the powers and duties of housing authorities and providing for the exercise of such powers, including acquiring property, borrowing money, issuing bonds and other obligations, and giving security therefor; providing that housing authorities may obtain the attorney general's opinion upon their bonds; providing that housing authorities, their property and securities shall be exempt from taxation and assessment, but authorizing certain payments in lieu of taxes; providing that bonds of housing authorities shall be legal investments; conferring remedies on obligees of housing authorities; and declaring an emergency."

Senate Bill No. 80: "An Act authorizing cities, towns, counties, and other public bodies and subdivisions to aid housing projects of housing authorities or of the United States of America by conveying or dedicating property, by furnishing parks, playgrounds, streets, roads, water, sewer or drainage facilities and other improvements and facilities, by exercising certain other powers and by making agreements relating to such aid; authorizing cities, towns, counties and other public bodies and subdivisions to purchase bonds of housing authorities, to make agreements respecting the exercise of their powers relating to the remedying or elimination of unfit dwellings, and to make agreements relating to payments by housing authorities; authorizing certain cities, towns and counties to pay moneys to housing authorities; and declaring an emergency."

Very truly yours,

RICHARD HAMILTON,

Secretary to the Governor.

At 3:55 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FORTY-EIGHTH DAY

MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Saturday, February 25, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all senators were present, except Senator Drumheller, who was excused, and Senator Murfin.

Reverend Frederick A. McDonald, of the St. John's Episcopal Church of Centralia, offered prayer.

On motion of Senator Keeler, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read:

Senate Joint Resolution No. 16, by Committee on Constitutional Revision: Providing for the submission to the electors of the state a proposal to amend article III of the constitution of the State of Washington, by adding thereto a new section, to be designated Sec. 26, relating to salaries of state officers and repealing all constitutional provisions in conflict therewith.

The resolution was read the first time, and on motion of Senator Kyle, the rules were suspended, the resolution was read the second time by title, ordered printed, and placed on general file.

The Secretary read:

Senate Joint Memorial No. 13, by Senator Atkinson: Relating to the interstate advertising of alcoholic liquor.

The memorial was read the first time, and on motion of Senator Atkinson, the rules were suspended, the memorial was read the second time, ordered printed and referred to the Committee on Memorials.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Substitute Senate Bill No. 47, have compared same with the engrossed substitute bill and find it correctly enrolled.

Respectfully submitted,
GEO. A. LOVEJOY, *Chairman*.

We concur in this report: Mary Farquharson, W. C. Dawson, Monty Percival.

The report was ordered received.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bills Nos. 420, 207, 268, 348, 83, 161 and 251, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, Harold P. Troy, Paul G. Thomas, Joseph D. Roberts.

The report was ordered received.

REPORTS OF STANDING COMMITTEES

Substitute House Bill No. 29:

The Committee on Education recommended that Substitute House Bill No. 29 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 228:

The Committee on Appropriations recommended that Senate Bill No. 228 do pass.

The report of the committee, together with the bill, was placed on general file.

Senator McDonald assumed the chair.

Senate Bill No. 382:

The Committee on Fisheries recommended that Senate Bill No. 382 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 338:

The Committee on Appropriations recommended that Senate Bill No. 338 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 328:

The Committee on Appropriations recommended that Senate Bill No. 328 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 132:

The Committee on Appropriations recommended that House Bill No. 132 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 409:

The Committee on Commerce and Manufacturing recommended that Senate Bill No. 409 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 408:

The Committee on Commerce and Manufacturing recommended that Senate Bill No. 408 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 215:

The Committee on Municipal Corporations Other Than First Class recommended that Senate Bill No. 215 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 152:

The Committee on Municipal Corporations Other Than First Class recommended that House Bill No. 152 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 385:

The Committee on Appropriations recommended that Senate Bill No. 385 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 399:

A part of the Committee on Liquor Control recommended that Senate Bill No. 399 do pass.

A part of the Committee on Liquor Control reported Senate Bill No. 399 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 257:

The Committee on State Library recommended that Engrossed House Bill No. 257 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 235:

The Committee on Parks and Playgrounds recommended that House Bill No. 235 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 41:

The Committee on Parks and Playgrounds recommended that Engrossed House Bill No. 41 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 37:

The Committee on Parks and Playgrounds recommended that Engrossed House Bill No. 37 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 371:

The Committee on Parks and Playgrounds recommended that Senate Bill No. 371 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 134:

The Committee on Parks and Playgrounds recommended that House Bill No. 134 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 60; also House Bill No. 117; also Engrossed House Bill No. 184; also Engrossed House Bill No. 188; also House Bill No. 204; also House Bill No. 217; also House Bill No. 221; also House Bill No. 259; also House Bill No. 267; also House Bill No. 342; also House Bill No. 343; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Senate Bill No. 50 and the House amendments thereto, and has granted the committee the powers of free conference, and said report is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Senate Bill No. 50, entitled: "An Act relating to inspection of bakeries, and amending section 8 of chapter 137 of the Laws of 1937.", have had the same under consideration, and we report we cannot agree and ask for powers of free conference.

Senate Members

A. M. MURFIN
TED F. SCHROEDER

House Members

JOHN SHERMAN
H. C. ARMSTRONG
PERRY B. WOODALL

On motion of Senator Maxwell, the powers of free conference were granted.

INTRODUCTION OF BILLS

Senate Bill No. 429, by Senator Roberts, entitled: "An Act relating to commercial fisheries, to secure equalization of the catch of sockeye salmon as provided for by international treaty; authorizing the director of fisheries to designate for this purpose a limited number of locations for the operation of fish traps or pound nets within certain designated areas; providing for the operation of fish traps or pound nets upon such locations under lease; authorizing the director of fisheries and the state treasurer to make rules and regulations governing the leasing of such fish traps or pound nets; providing for the collection and distribution of certain moneys; making violations gross misdemeanors, making an appropriation, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Roberts, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Fisheries.

Senate Bill No. 430, by Senators Lovejoy and Malstrom, entitled: "An Act relating to and making appropriation for furnishing reserve library facilities to students of the extension department of the University of Washington."

The bill was read the first time, and on motion of Senator Roberts, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate Bill No. 431, by Senator Metcalf, entitled: "An Act relating to the assessment and collection of taxes and amending section 1 of chapter 17 of the Laws of 1937 (section 11278 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Metcalf, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

Senate Bill No. 432, by Senator Metcalf, entitled: "An Act relating to the duties of county auditors and county treasurers in connection with transfers and conveyances of real property."

The bill was read the first time, and on motion of Senator Metcalf, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate Bill No. 433, by Senators Shorett and Klemgard, entitled: "An Act making appropriations for the purchase of land, construction of buildings and improvements at designated state institutions; for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices; for the relief of certain individuals, corporations, counties and municipalities, for refunds and for deficiencies and for emergencies, including deficiencies and appropriation of revolving funds, and for purposes specified in certain acts of Congress, and for miscellaneous purposes designated for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, defining terms, limiting allowances and compensation, and providing this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Shorett the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Appropriations.

Senate Bill No. 434, by Senators Murfin and Atkinson, entitled: "An Act relating to revenue, providing a tax upon gifts and amending chapter 180 of the Laws of 1935 by adding thereto, under title XVI, thirty-one sections to be numbered section 128 to section 158, inclusive."

The bill was read the first time, and on motion of Senator Atkinson, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Revenue and Taxation.

Senate Bill No. 435, by Senator McAulay, entitled: "An Act relating to vocational education, accepting certain acts of Congress in relation thereto, providing for the promotion of vocational education, designating the State Board of Education as the State Board for Vocational Education, defining the powers and duties of the State Board for Vocational Education and of the State Superintendent of Public Instruction in connection therewith, amending section 1 to section 5, inclusive, of chapter 160 of the Laws of 1919, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator McAulay, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education.

Senate Bill No. 436, by Senator McAulay, entitled: "An Act relating to the state game commission; providing the number, qualifications and method of selection thereof; prescribing terms and residences and amending section 8 of chapter 3 of the Laws of 1933 (section 5855-2 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McAulay, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Game and Game Fish.

Senate Bill No. 437, by Senator Morgan (By Request), entitled: "An Act authorizing and providing for the compromise and settlement of a certain pending cause of action in the superior court of Mason county, permitting the attorney general and the commissioner of public lands to enter into a compromise to quiet title to certain land and directing the repayment to the Puget Mill Company of certain sums paid by way of taxes, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Morgan, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Morgan, the usual number of copies of Senate Bill No. 437 were ordered printed.

Senate Bill No. 438, by Senator Wanamaker (By Departmental Request), entitled: "An Act relating to public health, providing for the preparation of county budgets for county public health work, authorizing certain expenditures and declaring an emergency."

The bill was read the first time, and on motion of Senator Wanamaker, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

On motion of Senator Wanamaker, the usual number of copies of Senate Bill No. 438 were ordered printed.

Senate Bill No. 439, by Senator Murfin (By Request), entitled: "An Act relating to interference by electrical lines and facilities with the service and efficiency of telephone and telegraph lines and facilities; giving the department of public service authority to order the elimination of such interference and to apportion the expenses involved in such elimination."

The bill was read the first time, and on motion of Senator Murfin, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Utilities.

On motion of Senator Murfin, the usual number of copies of Senate Bill No. 439 were ordered printed.

Senate Bill No. 440, by Senator McAulay, entitled: "An Act authorizing water districts to establish and maintain local improvement guaranty funds to be derived from a percentage of the gross revenues of the water supply systems of the districts, or by levying of a general tax upon the land within the boundaries of the water district, and amending section 1 of chapter 102 of the Laws of 1937 (section 11589-1 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McAulay, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Public Utilities.

Senate Bill No. 441, by Senator Moe, entitled: "An Act relating to crimes and providing for technical research and assistance to the chief of the Washington State Patrol and prosecuting attorneys."

The bill was read the first time, and on motion of Senator Moe, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate Bill No. 442, by Senator Shorett, entitled: "An Act empowering and requiring boards of county commissioners to provide adequate drainage along county roads in areas subject to periodic floods."

The bill was read the first time, and on motion of Senator Shorett, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

President Meyers assumed the chair.

Senate Bill No. 443, by Senator Klemgard, entitled: "An Act reducing the number of judges of the superior court in and for King county to twelve."

The bill was read the first time, and on motion of Senator Klemgard, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Judiciary.

Senate Bill No. 444, by Senator Kerstetter, entitled: "An Act creating the department of social security, prescribing its powers and duties, providing for the transfer of property and business of the social security department, and repealing all acts and parts of acts in conflict therewith and declaring that this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Kerstetter, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Social Security.

Senate Bill No. 445, by Senator McAulay, entitled: "An Act relating to education, defining minimum education requirements and providing for the certification of teachers, prescribing powers and duties of the state board of education and of certain boards of regents, providing for the validation of outstanding certificates, and amending section 2 and section 19 of chapter 97 of the Laws of 1909, page 336 and page 249, section 1 of chapter 80 of the Laws of 1933, and section 1 of chapter 227 of the Laws of 1927, and repealing section 11, section 1, section 8 and section 10 of chapter 97 of the Laws of 1909, page 254, page 336, page 337 and page 338, section 1 of chapter 97 of the Laws of 1909, page 345, section 2 of chapter 16 of the Laws of 1911, section 1 of chapter 161 and section 2 of chapter 162 of the Laws of 1915, section 11 of chapter 10 and section 4 of chapter 128 of the Laws of 1917, section 1 to section 5, inclusive, and section 7 of chapter 175 of the Laws of 1923, and section 2 of chapter 80 of the Laws of 1933."

The bill was read the first time, and on motion of Senator McAulay, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Education.

Senate Bill No. 446, by Senator Holt, entitled: "An Act relating to and providing for the incorporation and regulation of certain corporations for profit, providing for the assessment and sale of shares, and amending section 14 and section 16 of chapter 185 of the Laws of 1933 (section 3803-14 and section 3803-16 of Remington's Revised Statutes), and amending chapter 185 of the Laws of 1933 by adding thereto three new sections to be known as section 16a, section 16b, and section 16c."

The bill was read the first time, and on motion of Senator Holt, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Corporations Other Than Municipal.

Senate Bill No. 447, by Senator Holt, entitled: "An Act relating to the issuance and sale of metalliferous mining securities, regulating and supervising the same, requiring the filing of statutory statements and the obtaining of certificates, and amending section 2, section 6, and section 8 of chapter 178 of the Laws of 1937 (section 5853-32, section 5853-36 and section 5853-38 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Holt, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Mines and Mining.

Senate Bill No. 448, by Senators Moe and Stinson, entitled: "An Act relating to public highways; authorizing an investigation and survey for highways serving the Grand Coulee Dam vicinity; defining the powers and duties of the director of highways; providing for emergent construction; making an appropriation; and declaring an emergency."

The bill was read the first time, and on motion of Senator Moe, the rules were suspended, the bill was read the second time by title, ordered printed, and referred to the Committee on Roads and Bridges.

Engrossed House Bill No. 60, by Representative Bienz, entitled: "An Act relating to, regulating and licensing the possession, sale and disposal of certain prophylactics, designed, intended or having special utility for the prevention and/or treatment of venereal diseases; and prescribing penalties."

The bill was read the first time, and on motion of Senator Henderson, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

House Bill No. 117, by Representative Smith (Vernon A.), entitled: "An Act relating to sewers in cities and towns; and authorizing connection therewith from property located outside the city or town."

The bill was read the first time, and on motion of Senator Drumheller, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Utilities.

Engrossed House Bill No. 184, by Representative Reilly (Edward J.), entitled: "An Act relating to education, amending section 4, chapter 28, Laws of 1933."

The bill was read the first time, and on motion of Senator Haddon, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

Engrossed House Bill No. 188, by Representative Lindsay, entitled: "An Act relating to the organization, management, and supervision of savings and loan associations; providing for the conversion of federal savings and loan associations; amending sections 20, 23, 28, 29, 47 as heretofore amended, 48, 49 as heretofore amended, 50, 51, 56, 57 and 65 of chapter 183 of the Laws of 1933; and repealing chapter 9 of the Laws of 1935."

The bill was read the first time, and on motion of Senator Troy, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Financial Institutions Other Than Banks.

House Bill No. 204, by Representative Payne, entitled: "An Act relating to the powers and duties of the board of regents of the University of Washington, and amending section 5 of (sub) chapter 1 of title II of chapter 97 of the Session Laws of 1909, as amended by chapter 227 of the Session Laws of 1927 (Remington's Revised Statutes, section 4557; Pierce's Code, section 4759)."

The bill was read the first time, and on motion of Senator Haddon, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

House Bill No. 217, by Representative Turner, entitled: "An Act relating to justices of the peace in first-class cities; providing for the appointment of such justices as police justices or police judges to preside over a court to be

designated as the municipal court of the city; defining the jurisdiction and power of such courts and judges; and amending sections 2 and 4, chapter 85, of the Laws of 1899; and sections 1 and 2, chapter 182, of the Laws of 1923."

The bill was read the first time, and on motion of Senator Duggan, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 221, by Judiciary Committee, entitled: "An Act requiring an employer to pay, to certain persons, wages earned by a deceased employee prior to death."

The bill was read the first time, and on motion of Senator Duggan, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 259, by Mr. Devenish (By Departmental Request), entitled: "An Act imposing an excise tax on gasoline and other inflammable liquids, and providing for the payment, collection and lien of the tax; amending sections 1, 5 and 17 of chapter 58, Laws of 1933 (sections 8327-1, 8327-5, 8327-17, Remington's Revised Statutes); defining distribution; redefining distributors; providing for ex-tax sales between distributors; providing for evaporation and handling losses; and enacting a new section relating to tax payments, reports, penalties and remedies applicable to persons other than distributors."

The bill was read the first time, and on motion of Senator Murfin, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

House Bill No. 267, by Judiciary Committee, entitled: "An Act relating to the inventory and appraisalment of the property of the estates of deceased persons; amending section 123 of chapter 180 of the Laws of 1935 (section 1465 of Remington's Revised Statutes; section 9921 of Pierce's Code); and amending section 113 of chapter 180 of the Laws of 1935 (section 11211 of Remington's Revised Statutes; section 7030-173 of Pierce's Code)."

The bill was read the first time, and on motion of Senator Duggan, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 342, by Committee on Reclamation and Irrigation, entitled: "An Act relating to irrigation districts comprising within their boundaries two hundred thousand (200,000) or more acres of land, and providing for the disorganization and liquidation of such districts which have been in existence for more than twenty (20) years without furnishing irrigation and have no bonded indebtedness."

The bill was read the first time, and on motion of Senator Keeler, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

House Bill No. 343, by Committee on Reclamation and Irrigation, entitled: "An Act relating to irrigation districts comprising within their boundaries two hundred thousand (200,000) or more acres of land; authorizing the inclusion of lands within the operation of such districts; outlining certain procedure, and prescribing official duties and powers with respect thereto."

The bill was read the first time, and on motion of Senator Keeler, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

GENERAL FILE

Senate Bill No. 336:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate Bill No. 336, entitled: "An Act relating to agriculture, creating the agricultural prorate commission and providing the powers and duties thereof, providing for the institution and maintenance of proration programs for agricultural crops, prescribing penalties, creating the agricultural prorate commission fund, and making appropriations.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, subsection o, line 30, page 2 of the original bill, the same being section 1, subsection o, line 16, page 2 of the printed bill, after the word "thereof", and before the word "reselling" strike the word "the" and insert in lieu thereof the word "and"

Amend section 2, line 11, page 3 of the original bill, the same being section 2, line 25, page 2 of the printed bill by striking the word "citrus" and inserting in lieu thereof the words "small fruit"

Amend section 17, line 22, page 14 of the original bill, the same being section 17, line 37, page 8 of the printed bill by striking the word "secretary" and inserting in lieu thereof the word "agent"

Amend section 20, line 28, page 15 of the original bill, the same being section 20, line 20, page 9 of the printed bill, after the word "production" and before the word "the" strike the period, insert in lieu thereof a comma and add the following: "and may be by volume, grade, size or by such other classification of the prorated commodity as the program committee may find to be best suited to effectuate the purpose of the proration program."

Amend section 29 of the original bill, the same being section 29 of the printed bill by striking the whole thereof and renumbering subsequent sections consecutively.

Amend re-numbered section 29, line 8, page 23 of the original bill, the same being re-numbered section 29, line 24, page 13 of the printed bill by striking the period (.) after the figures (\$25,000) inserting in lieu thereof a comma (,) and adding the following: "provided that in no case shall expenditures from such fund exceed receipt from fees as provided in this act."

D. E. McMILLAN, *Chairman.*

We concur in this report: Ted F. Schroeder, Leroy L. Todd, Howard Roup, Henry J. Copeland.

On motion of Senator McMillan, the report of the committee was received.

On motion of Senator McMillan, the Senate resolved itself into a committee of the whole to consider the amendments to Senate Bill No. 336.

The bill was considered in the committee of the whole, Senator Kyle in the chair, and reported back to the Senate with the recommendation that it do pass, as amended.

On motion of Senator Kyle, the report of the committee of the whole was adopted.

On motion of Senator Kyle, the committee amendments read in the committee of the whole were adopted.

On motion of Senator Kyle, the following amendments made in the committee of the whole were adopted:

Amend section 1, sub-section (c), lines 17 and 18 of the original bill, same being section 1, sub-section (c), line 9, page 1 of the printed bill, by striking the words ", live stock and poultry or any of their products, but shall not include milk"

Amend the bill by striking all of section 27 and renumbering the succeeding sections in accordance therewith.

Amend the committee amendment in the last line of the original committee amendment, being the next to the last line of the mimeographed amendment, by adding the letter "s" to the word "receipt"

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The President signed House Bills Nos. 8, 10, 58 and 325; also Senate Bills Nos. 13, 142, 141, and Substitute Senate Bill No. 47.

Senator Copeland assumed the chair.

Senators Reardon, Klemgard and Henderson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 336, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Haddon, Malstrom, Maxwell, McMillan, Metcalf, Moe, Murphy, Percival, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—24.

Those voting nay were: Senators Dawson, Ferryman, Henderson, Holt, Kerstetter, Klemgard, Koontz, Kyle, McAulay, McDonald, Mills, Morgan, Orndorff, Reardon, Roberts, Rosellini and Stinson—17.

Absent or not voting: Senators Drumheller, Keeler, Keller, Lovejoy and Murfin—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Koontz, 1000 additional copies of Senate Bill No. 427 were ordered printed.

On motion of Senator Maxwell, the rules were suspended and the Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred Senate Bill No. 198, entitled: "An Act relating to public utility districts, the organization, powers and government thereof; prescribing the time of election and terms of office of public utility district commissioners; providing for reimbursement and compensation of such commissioners; prescribing payments to be made by such districts to counties, cities, towns and other taxing districts; providing for the joint exercise of powers by such districts; providing for the inspection of books, papers, records and accounts of public service companies by representatives of such districts and imposing penalties; pertaining to the determination of compensation to be paid by such district in eminent domain proceedings; validating districts heretofore formed and prescribing the manner in which the existence of districts now or hereafter formed may be challenged; amending section 11607, 11608 and 11609 of Remington's Revised Statutes, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate

Bill No. 198, entitled: "An Act relating to public utility districts; prescribing the time of election and terms of office of public utility district commissioners; providing for reimbursement and compensation of such commissioners; prescribing payments to be made by such districts to the state, counties, cities, towns and other taxing districts; providing for the joint exercise of powers by such districts; validating districts heretofore formed and prescribing the manner in which the existence of districts now or hereafter formed may be challenged; providing for dissolution of districts; amending sections 11608 and 11609 of Remington's Revised Statutes, and declaring that this act shall take effect immediately.", be substituted therefor, and that it do pass.

JOSEPH DRUMHELLER, *Chairman*.

We concur in this report: Joe L. Keeler, John H. Ferryman, W. C. Dawson, Fred S. Duggan, Howard Roup.

On motion of Senator Maxwell, the committee report was ordered received, Substitute Senate Bill No. 198 was treated as an original bill, and 1500 copies of Substitute Senate Bill No. 198 were ordered printed.

Senate Chamber,

Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred Senate Bill No. 200, entitled: "An Act relating to public utility districts and the issuance, sale, redemption, funding and refunding of revenue bonds or warrants thereby; specifying provisions and conditions thereof and covenants that may be contained therein; providing for the registration and validation thereof; making the same legal securities for certain purposes; declaring the same to be negotiable instruments; repealing all acts or parts of acts in conflict herewith; and providing that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 200, entitled: "An Act relating to public utility districts and the acquisition, operation and disposal of public utilities thereby; providing for elections; providing for the issuance, sale, redemption, funding and refunding of bonds or warrants thereby; specifying provisions and conditions thereof and covenants that shall be contained therein; providing for the registration and validation thereof; making the same legal securities for certain purposes; declaring the same to be negotiable instruments; repealing all acts or parts of acts in conflict herewith; and providing that this act shall take effect immediately.", be substituted therefor and that it do pass.

JOSEPH DRUMHELLER, *Chairman*.

We concur in this report: Joe L. Keeler, John H. Ferryman, W. C. Dawson, Fred S. Duggan, Howard Roup.

On motion of Senator Maxwell, the committee report was ordered received, Substitute Senate Bill No. 200 was treated as an original bill, and 1500 copies of Substitute Senate Bill No. 200 were ordered printed.

On motion of Senator Maxwell, the rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,

Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 323, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,

Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

The House has granted the request of the Senate for the return of Engrossed Senate Bill No. 43 in order that the Senate may concur in the House amendment thereto, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Wanamaker, the Senate concurred in House amendment to Engrossed Senate Bill No. 43.

The chair announced that Engrossed Senate Bill No. 43, as amended by the House, was now on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 43, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Kerstetter, Malstrom, Maxwell, McAulay, McDonald, McMillan, Mills, Morgan, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—34.

Absent or not voting: Senators Drumheller, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Metcalf, Moe, Murfin, Murphy and Schroeder—12.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Reardon, Senate Bill No. 111 was moved up from its place on the calendar.

Senate Bill No. 111:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 111, entitled: "An Act relating to water and water rights and works and structures for the control and storage of water and the flowage thereof and amending section 36 of chapter 117, Laws of 1917.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman.*

We concur in this report: C. F. Stinson, Geo. F. McAulay, J. M. Koontz, Herbert H. Sieler, A. M. Murfin, Clifford O. Moe.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

Senator Reardon moved an amendment to Senate Bill No. 111 be adopted.

Senator Duggan assumed the chair.

Senator Reardon moved that Senate Bill No. 111 and the amendment thereto under consideration be placed at the head of the calendar on next Monday.

The motion by Senator Reardon carried.

Senate Bill No. 240:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 240, entitled: "An Act relating to the platting, subdivision and dedication of land; regulation

of standards, surveys and sketches thereof and amending section 5, chapter 186, Laws of 1937.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Ralph Metcalf, Herbert H. Sieler, H. I. Kyle, F. L. Morgan.

On motion of Senator McMillan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 240, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—35.

Absent or not voting: Senators Atkinson, Bloomer, Drumheller, Farquharson, McAulay, McMillan, Metcalf, Murfin, Reardon, Schroeder and Troy—11.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 359:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 359, entitled: "An Act relating to counties, recognizing the need for uniformity and coordination of county administrative programs, directing county commissioners jointly to prepare annual reports on county operations and to submit to the legislature recommendations on improvement of county administrative procedures, authorizing the designation of the Washington State Association of County Commissioners as a co-ordinating agency in the execution of the act, permitting counties to reimburse the association for services so rendered, and authorizing commissioners to attend inter-county meetings.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HOWARD ROUP, *Chairman*.

We concur in this report: F. L. Morgan, John H. Ferryman, Clifford O. Moe.

On motion of Senator Roup, the report of the committee was received and the bill was read the third time.

Senators Roberts, Maxwell and Orndorff demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 359, and it passed the Senate by the following vote:

Those voting aye were: Senators Duggan, Edwards, Farquharson, Ferryman, Haddon, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Mills, Moe, Morgan, Murphy, Percival, Roberts, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—30.

Those voting nay were: Senators Copeland, Dawson, Henderson, Keller, Orndorff and Sieler—6.

Absent or not voting: Senators Atkinson, Bloomer, Drumheller, McAulay, McMillan, Metcalf, Murfin, Reardon, Rosellini and Troy—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 122:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 122, entitled: "An Act relating to the collection of personal property taxes, amending section 4 of chapter 30 of the Laws of 1935, conferring certain powers on county treasurers, including the power to postpone sales of property upon distraint, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, page 2, line 21 of the printed bill, the same being line 3, page 3, of the original bill, by striking the period and adding the following: " * * * * * : *And provided further*, That the county treasurer, in his discretion, may postpone from time to time the sale of property distrained by him. Each postponement shall be for a period of not less than ten (10) days, nor more than sixty (60) days. Notice of said postponement shall be given in the same manner required for the original notice of sale. The county treasurer, or his deputy, shall tax a fee of one dollar and twenty-five cents (\$1.25) for each postponement of a sale.

"Section 2. That this act is necessary for the immediate support of the State Government in its existing public institutions, and shall take effect immediately."

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, H. I. Kyle, F. L. Morgan, Herbert H. Sieler, Clifford O. Moe.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator McDonald, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 122, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McDonald, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Roberts, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Joyce and Wanamaker—32.

Absent or not voting: Senators Atkinson, Bloomer, Copeland, Drumheller, Klemgard, Maxwell, McAulay, McMillan, Metcalf, Murfin, Reardon, Rosellini, Roup and Schroeder—14.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 91:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 91, entitled: "An Act relating to the custody of voting machines and the compensation of custodians thereof, and amending section 1 of chapter 85 of the Laws of 1935.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass., *Chairman.*

We concur in this report: Leroy L. Todd, H. I. Kyle, F. L. Morgan, Albert D. Rosellini, Judson W. Shorett, Harold P. Troy, Mary Farquharson, Ralph Metcalf, Earl Maxwell.

On motion of Senator Troy, the report of the committee was received and the bill was read the third time.

Senators Roberts, Kyle and Farquharson demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 91, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Roberts, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—33.

Absent or not voting: Senators Atkinson, Bloomer, Drumheller, Klemgard, McAulay, McDonald, McMillan, Murfin, Reardon, Rosellini, Roup, Schroeder and Stinson—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 204:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Federal Relations and Immigration, to whom was referred Senate Bill No. 204, entitled: "An Act relating to the establishment of an unpaid commission to facilitate the cooperation of the State of Washington with other units of government and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. RALPH METCALF, *Chairman.*

We concur in this report: W. R. Orndorff, Robert T. McDonald, C. F. Stinson, N. P. Atkinson, G. B. Kerstetter, James T. Sullivan.

On motion of Senator Metcalf, the report of the committee was received and the bill was read the third time.

On motion of Senator Maxwell, the following amendment was adopted:

Amend section 12, line 25, page 3 of the printed bill by striking the entire section and renumber section 13 to read section 12.

On motion of Senator Maxwell, the following amendment was adopted:

Amend the title by placing a period (.) after the word "government" and strike the words "and declaring an emergency."

Senators Orndorff, Maxwell and Lovejoy demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 204, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Metcalf, Mills, Morgan, Murphy, Orndorff, Percival, Roberts, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Absent or not voting: Senators Bloomer, Drumheller, McAulay, McDonald, Moe, Murfin, Reardon, Rosellini, Roup and Schroeder—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 93:

On motion of Senator Maxwell, Senate Bill No. 93 was ordered to hold second place on the calendar for next Monday.

Senate Bill No. 403:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on State Charitable Institutions, to whom was referred Senate Bill No. 403, entitled: "An Act changing the name of 'The State Custodial School' to 'The Eastern State Custodial School', and declaring this act shall take effect April 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. MONTY PERCIVAL, *Chairman*.

We concur in this report: Kebel Murphy, Lulu D. Haddon, Herbert H. Sieler, Chapin A. Mills, Kathryn E. Malstrom, Leroy L. Todd, Ted F. Schroeder.

On motion of Senator Percival, the report of the committee was received and the bill was read the third time.

Senators Maxwell, Edwards and Kyle demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 403, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Morgan, Murphy, Orndorff, Percival, Roberts, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Absent or not voting: Senators Bloomer, Drumheller, Keeler, McAulay, Moe, Murfin, Reardon, Rosellini, Roup, Schroeder and Stinson—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 402:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Compensation and Fees for State and County Officers, to whom was referred Senate Bill No. 402, entitled: "An Act relating to the payment of salaries of judges of the superior court, amending section 2, chapter 30, Laws of 1893, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

N. P. ATKINSON, *Chairman.*

We concur in this report: D. E. McMillan, T. C. Bloomer, J. W. Henderson, Henry J. Copeland, Paul G. Thomas, Mary Farquharson.

On motion of Senator Atkinson, the report of the committee was received and the bill was read the third time.

Senator Kyle moved the adoption of the following amendment:

Amend the title by striking the comma (,) after the figures "1893" inserting in lieu thereof a period (.) and strike the remainder of the title.

Senator Troy moved that Senate Bill No. 402 be re-referred to the Committee on Judiciary.

On motion of Senator Kyle, the motion of Senator Troy was laid on the table.

The motion by Senator Kyle to amend the title carried.

Senators Maxwell, Lovejoy and Kyle demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 402, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—36.

Those voting nay were: Senators Roberts, Rosellini, Shorett and Troy—4.

Absent or not voting: Senators Atkinson, Drumheller, Keeler, McAulay, Murfin and Roup—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 1:35 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until Monday, February 27th, 1939, at 11:30 o'clock a. m.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTIETH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Monday, February 27, 1939.

The Senate was called to order at 11:30 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all senators were present.

Reverend Robert Brumblay, of the First Methodist Episcopal Church of Olympia, offered prayer.

On motion of Senator Todd, the reading of the journal of the previous day was dispensed with and it was approved.

President Meyers assumed the chair.

The Secretary read:

SENATE RESOLUTION

By Senators Murfin and Farquharson:

Be It Resolved By The Senate:

WHEREAS the University of Washington has the greatest student enrollment in its history and is seriously handicapped by lack of funds to properly perform its obligations to these students and to the state, and

WHEREAS the University of Washington possesses ten (10) acres of valuable property in the heart of Seattle which are under fifty-year lease to the Metropolitan Building Company and yield a revenue to the university of only one hundred thousand dollars (\$100,000) a year, and

WHEREAS on June 16, 1925, the board of regents of the university discovered that the Metropolitan Building Company had violated the terms of its lease, thereby forfeiting all right to further operation of the building occupying the half block on Fifth Avenue between Seneca and University Streets, and on that date John Condon, dean of the University of Washington Law School and secretary of the board of regents, wrote the company as follows:

"You are hereby notified that the building known as the Arena Building on Fifth Avenue does not conform with the terms of the lease and therefore is classed as a temporary building and as such the board will exercise the right conferred on it relative to temporary buildings on and after June 25, 1925.", and

WHEREAS the Metropolitan Building Company thereupon admitted its violation of the lease by making repairs, which repairs were not sufficient to bring the building within the terms of the lease, and

WHEREAS the said company is still violating the terms and has collected some seven hundred thousand dollars (\$700,000) in rentals from this building which properly belong to the university,

Now therefore the president of the Senate is hereby authorized to appoint a special committee of three (3) members to investigate whether said lease has been violated by the Metropolitan Building Company and what recovery should be made therefor by the university, and all other questions in relation thereto that would aid this State Legislature in any necessary remedial legislation.

The committee, or any subcommittee thereof, is hereby authorized to sit and act during and after the present session of the Legislature and shall report back to the Senate not later than the fifth day of the 1941 Legislative Session. The committee may hold such hearings, require the attendance of such witnesses and the production of such books, papers, and documents from any part of the state by subpoena or otherwise, and

take such testimony as it may deem necessary. Testimony before the committee, or any subcommittee thereof, shall not be limited by the judicial rules of evidence. Subpoenas shall be issued under the signature of the chairman and shall be served by any person designated by him. The chairman or any member of the committee may administer oaths to witnesses.

The committee shall have all the powers granted by chapter 6 of the Laws of 1895 and chapter 33 of the Laws of 1897 (sections 8178 to 8194 of Remington's Revised Statutes), and any person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, wilfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation hereby authorized, shall be liable to the penalties provided by said statute.

The committee shall have the power to employ experts and such clerical, stenographic and other assistance as may be necessary. All departments of the state government are hereby requested and directed to aid the committee in every possible way.

There is hereby allocated from the funds appropriated for the expenses of the Twenty-sixth Session of the Legislature the sum of one hundred dollars (\$100), or as much thereof as may be necessary, for the purpose of paying expenses incurred by this committee.

On motion of Senator Farquharson, the resolution was adopted.

The President appointed Senators Farquharson, chairman, Murfin and Reardon as the committee in accordance with the resolution.

On motion of Senator Kyle, the committee appointed by the President was confirmed.

The Secretary read:

Senate Joint Resolution No. 17, by Senator Schroeder: Relating to the creation of a joint interim-session committee to investigate the production and distribution of milk and milk products and giving it certain powers.

The resolution was read the first time, and on motion of Senator Schroeder, the rules were suspended, the resolution was read the second time, ordered printed, and referred to the Committee on Appropriations.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 43, have compared same with the Engrossed Bill and find it correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: W. C. Dawson, Monty Percival, Mary Farquharson.

The report was ordered received.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bills Nos. 122, 204, 336, and 402, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Harold P. Troy, Joseph D. Roberts, Paul G. Thomas.

The report was ordered received.

REPORTS OF STANDING COMMITTEES

Engrossed House Bill No. 188:

The Committee on Financial Institutions Other Than Banks recommended that Engrossed House Bill No. 188 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 201:

The Committee on Financial Institutions Other Than Banks recommended that Engrossed House Bill No. 201 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 375:

The Committee on Forestry and Logged-Off Lands recommended that Senate Bill No. 375 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 289:

The Committee on Forestry and Logged-Off Lands recommended that Engrossed House Bill No. 289 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 310:

The Committee on Forestry and Logged-Off Lands recommended that Senate Bill No. 310 do pass.

The report of the committee, together with the bill, was placed on general file.

Senator Morgan assumed the chair.

Engrossed House Bill No. 283:

The Committee on Education recommended that Engrossed House Bill No. 283 be re-referred to the Committee on Appropriations with the recommendation that it do pass.

On motion of Senator Haddon, seconded by Senator Reardon, the committee report was adopted.

Senate Bill No. 182:

The Committee on Labor and Labor Statistics recommended that Senate Bill No. 182 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 356:

The Committee on Liquor Control recommended that Senate Bill No. 356 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 301:

The Committee on Education recommended that Senate Bill No. 301 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 76:

The Committee on Education recommended that Senate Bill No. 76 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 99:

The Committee on State Penal and Reformatory Institutions recommended that Senate Bill No. 99 be re-referred to the Committee on Appropriations.

On motion of Senator Reardon, the report of the committee was adopted.

Senate Bill No. 107:

The Committee on Labor and Labor Statistics recommended that Senate Bill No. 107 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 100:

A majority of the Committee on Industrial Insurance recommended that Senate Bill No. 100 do pass as amended.

A minority of the Committee on Industrial Insurance recommended that Senate Bill No. 100 do not pass.

A minority of the Committee on Industrial Insurance referred Senate Bill No. 100 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

President Meyers assumed the chair.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

The House has passed Re-engrossed House Bill No. 80, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 26, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 284, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 282; also House Bill No. 372; and the same are herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 26, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 180; also Substitute House Bill No. 192; also

House Bill No. 263; also
 Engrossed House Bill No. 264; also
 House Bill No. 271; also
 House Bill No. 322; also
 House Bill No. 365; also
 House Bill No. 382; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
 Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 13; also
 Senate Bill No. 141; also
 Senate Bill No. 142; also
 Substitute Senate Bill No. 47; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
 Olympia, Wash., February 26, 1939.

MR. PRESIDENT:

The House has passed Re-engrossed House Bill No. 324, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
 Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 81; also
 House Bill No. 123; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
 Olympia, February 25, 1939.

CLARENCE D. MARTIN, *Governor.*

To the Honorable, The Senate of the State of Washington

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bill, entitled:

Substitute Senate Bill No. 47:

"An Act relating to old age assistance, prescribing the maximum amount thereof, amending section 4, chapter 182, Laws of 1935, as amended by section 2, chapter 156, Laws of 1937, defining the eligibility of persons entitled thereto and the basis for determining the amount of such assistance to be given in individual cases, barring certain claims and judgments as valid claims and judgments against the state and its political subdivisions, and declaring an emergency."

Very truly yours,

RICHARD HAMILTON,

Secretary to the Governor.

The President signed Senate Bill No. 43, also House Bills Nos. 81 and 123.

INTRODUCTION OF BILLS

Substitute Senate Bill No. 198, by Committee on Public Utilities, entitled: "An Act relating to public utility districts; prescribing the time of election and terms of office of public utility district commissioners; providing for reimbursement and compensation of such commissioners; prescribing payments to be made by such districts to the state, counties, cities, towns and other taxing districts; providing for the joint exercise of powers by such districts; validating districts heretofore formed and prescribing the manner in which the existence of districts now or hereafter formed may be challenged;

providing for the dissolution of districts; amending sections 11608 and 11609 of Remington's Revised Statutes, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Substitute Senate Bill No. 200, by Committee on Public Utilities, entitled: "An Act relating to public utility districts and the acquisition, operation and disposal of public utilities thereby; providing for elections; providing for the issuance, sale, redemption, funding and refunding of bonds or warrants thereby; specifying provisions and conditions thereof and covenants that shall be contained therein; providing for the registration and validation thereof; making the same legal securities for certain purposes; declaring the same to be negotiable instruments; repealing all acts or parts of acts in conflict herewith; and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, ordered printed and placed on general file.

Senate Bill No. 449, by Senator Schroeder, entitled: "An Act relating to the investigation of the production and distribution of milk and milk products, making an appropriation therefor, and declaring an emergency."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 450, by Senator Klemgard, entitled: "An Act relating to transportation by motor vehicles, defining terms and amending section 2 of chapter 166 of the Laws of 1937 (section 6382-2 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Klemgard the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 451, by Senator Maxwell, entitled: "An Act relating to steamboat companies, providing for additional regulation, and amending section 1 of chapter 248 of the Laws of 1927 (section 10361-1 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Railroads and Transportation.

Senate Bill No. 452, by Senator Maxwell, entitled: "An Act providing for a study and survey of the fishing resources of the State of Washington; creating a fact-finding commission therefor to be known as the 'Fishing Resources Survey Commission'; defining its powers and duties; and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 453, by Senator Keller, entitled: "An Act relating to costs and disbursements and exempting the state, and all departments thereof

from the payment of filing fees and service charges and amending section 491 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 454, by Senator Duggan, entitled: "An Act relating to the convening of extraordinary sessions of the legislature and the powers and duties of Governor, Acting Governor and other state officers in connection therewith."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 455, by Senator McAulay, entitled: "An Act relating to the relief of C. H. Dills, and making an appropriation."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 456, by Senator Schroeder, entitled: "An Act relating to the cooperative management of state forest board lands and state granted lands with national forest and private timber lands in a sustained yield management unit."

The bill was read the first time, and on motion of Senator Schroeder the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Forestry and Logged-Off Lands.

Senator Reardon assumed the chair.

Senate Bill No. 457, by Senators Roberts and Maxwell, entitled: "An Act relating to the establishment of county purchasing divisions; authorizing the board of county commissioners therein to appoint purchasing agents; describing his powers and duties; fixing his term of office; requiring bond; and prescribing penalties."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Counties and County Boundaries.

Senate Bill No. 458, by Senator Malstrom, entitled: "An Act relating to education; providing for school revenues and disbursements; and amending section 4 of chapter 28 of the Laws of 1933 (section 4934 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Malstrom the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 459, by Senator Rosellini, entitled: "An Act relating to old-age assistance and defining additional duties of the director of the department of social security in connection therewith."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

Senate Bill No. 460, by Senator Rosellini, entitled: "An Act relating to the sale of intoxicating liquor, and repealing chapter 200 of the Laws of 1929, as amended by chapter 2 of the Laws of 1933 (section 7328-1 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Liquor Control.

Senate Bill No. 461, by Senator Maxwell, entitled: "An Act relating to the certification of teachers in the common schools and repealing all acts or parts of acts in conflict therewith."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 462, by Senators Reardon and Kyle, entitled: "An Act relating to state government; providing for a study of the feasibility of abolishing the code departments and transferring the powers and duties thereof back to the elected state executive officers; creating a commission therefor, to be known as the 'Commission on Economy, Efficiency and Simplicity in State Government'; defining its powers and duties; making an appropriation therefor; and declaring an emergency."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 463, by Senator Moe, entitled: "An Act for the relief of the estate of Edward L. Zindorf and Cedric Zindorf, and making an appropriation."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 464, by Senator Moe, entitled: "An Act relating to the powers and duties of school directors, permitting them to contract with teachers for not more than two years and amending section 4776 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 465, by Senator Moe, entitled: "An Act to regulate the disbursement of all moneys by the officers of the State of Washington and all district, county and precinct officers, and amending section 1 of chapter 126 of the Laws of 1891 (section 5512 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 466, by Senator Moe, entitled: "An Act relating to the duties of the county auditor, and amending sections 4863 and 4864 of Remington's Revised Statutes, being section 1 of chapter 78 of the Laws of 1911."

The bill was read the first time, and on motion of Senator Moe the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 467, by Senators Koontz and Wanamaker, entitled: "An Act relating to unemployment; providing for the relief of unemployed persons by making available funds for the sponsoring of public works and work relief projects on the part of the state and its political subdivisions; defining the duties of certain officers in relation thereto, making an appropriation therefor, and declaring an emergency whereby the act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Koontz the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

Senate Bill No. 468, by Senator Murphy, entitled: "An Act exempting from taxation real property occupied as a residence by its record owner to one thousand dollars (\$1,000) of its true and fair value in money, fixing the tax rate on other property, and referring this act to the people."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 469, by Senator Koontz, entitled: "An Act relating to the registration of voters, providing for deputy registrars and for payment of expenses of registration, and amending section 4, chapter 1, Laws of 1933 (section 5114-4, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Koontz the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Elections and Privileges.

Senate Bill No. 470, by Senator Holt, entitled: "An Act providing for priority of appropriations for social security and for common schools and declaring an emergency."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 471, by Senator Farquharson, entitled: "An Act relating to taxation; providing for a 3% tax on commercial rentals derived from buildings erected on land owned by the state or any of its political subdivisions; and allocating the same to the institutions of higher learning."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 472, by Senator Murphy, entitled: "An Act relating to assessments for local improvements and the foreclosure of general tax liens, the sale of property therefor, and amending section 1 of chapter 143 of the Laws of 1929 (section 9393 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 473, by Senator Wanamaker, entitled: "An Act relating to public highways, creating, establishing and designating Primary State Highway No. 1, and secondary state highways as branches thereof, and amending section 1 of chapter 190 of the Laws of 1937, and section 2 of chapter 207 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 474, by Senator Wanamaker, entitled: "An Act relating to public roads and streets, making motor vehicle fund a permanent fund, providing for the distribution within and making appropriations from the motor vehicle fund for supervision, location, right of way, improvement, construction, reconstruction, maintenance, special maintenance, emergencies and capital outlay for primary state highways and for payment of interest and bonds on state owned bridges and for secondary or county road and city streets, making appropriations for carrying out the provisions of certain acts of Congress and for miscellaneous purposes, prescribing the powers and duties of certain officers, making appropriations for the reimbursement of counties and incorporated cities and towns, and making an appropriation from the highway equipment fund, repealing all laws in conflict herewith, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 475, by Senator Sieler, entitled: "An Act appropriating five hundred thousand dollars (\$500,000) for the completion of Primary State Highway No. 5 through White Pass."

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 476, by Senator Sieler, entitled: "An Act providing for the keeping of a general index by the county clerk."

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 477, by Senator Sieler, entitled: "An Act relating to actions for the foreclosure of delinquent taxes on real property."

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 478, by Senator Sieler, entitled: "An Act relating to the sale of real property for delinquent taxes and amending section 117, section 120, and section 127 of chapter 130 of the Laws of 1925, Extraordinary Session (sections 11278, 11281 and 11288 of Remington's Revised Statutes of Washington)."

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Judiciary.

Senate Bill No. 479, by Senator Keeler, entitled: "An Act relating to public highways; establishing, designating and describing secondary state highways as branches of Primary State Highway No. 9, and amending section 7, chapter 207, Laws of 1937 (section 6402-7, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Keeler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 480, by Senator Duggan, entitled: "An Act relating to the regulation of publicly owned, operated and managed electrical systems when in competition with privately owned, operated and managed electrical systems, and providing for a uniform system of accounts for all publicly and privately owned electric systems and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Utilities.

Senate Bill No. 481, by Senator Duggan (By Request), entitled: "An Act relating to and providing for the incorporation and regulation of certain corporations for profits, providing for the assessment and sale of shares, and amending section 14, section 16 and section 37 of chapter 185 of the Laws of 1933 (section 3803-14, section 3803-16 and section 3803-37 of Remington's Revised Statutes), and amending chapter 185 of the Laws of 1933 by adding thereto four new sections to be known as section 16a, section 16b, section 16c and section 16d."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

On motion of Senator Drumheller, the usual number of copies of Senate Bill No. 481 were ordered printed.

Senate Bill No. 482, by Senator Maxwell, entitled: "An Act relating to sewer districts outside the limits of incorporated cities and towns; providing for the establishment, organization, financing, operation and regulation thereof, and for the construction and acquisition of facilities therefor, and for the costs, maintenance and operation thereof; and defining the powers and duties of such districts and of public officials and municipal corporations in connection therewith; and declaring an emergency."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Claims and Auditing.

Senate Bill No. 483, by Senator Maxwell, entitled: "An Act relating to sewers and drains, and refuse, and authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate systems of sewerage and drainage, and outfalls, works, plants and facilities for sewage treatment and disposal, and systems and plants for refuse collection and disposal, providing for modes of payment therefor, repealing chapter 39 of the Session Laws of 1931, and declaring an emergency."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Claims and Auditing.

Senator Malstrom assumed the chair.

Senate Bill No. 484, by Senator Murphy, entitled: "An Act relating to vehicles and the operation thereof upon the public highways of this state; providing for inspection thereof and amending sections 7, 8, 9, 10 and 11 of chapter 189 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Murphy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 485, by Senator Klemgard, entitled: "An Act relating to public roads and streets, making motor vehicle fund a permanent fund, providing for the distribution within and making appropriations from the motor vehicle fund for supervision, location, right of way, improvement, construction, reconstruction, maintenance, special maintenance, emergencies and capital outlay for primary state highways and for payment of interest and bonds on state owned bridges and for secondary or county road and city streets, making appropriations for carrying out the provisions of certain acts of Congress and for miscellaneous purposes, prescribing the powers and duties of certain officers, making appropriations for the reimbursement of counties and incorporated cities and towns, and making an appropriation from the highway equipment fund, repealing all laws in conflict herewith, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Klemgard the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 486, by Senator Lovejoy, entitled: "An Act relating to intoxicating liquors, prohibiting manufacturers or wholesalers from having any interest in retail establishments, and amending section 90, chapter 62, Laws of 1933, Extraordinary Session (section 7306-90, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Liquor Control.

Senate Bill No. 487, by Senator Sieler, entitled: "An Act relating to taxation;"

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Revenue and Taxation.

Senate Bill No. 488, by Senator Sieler, entitled: "An Act making an appropriation;"

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Appropriations.

Senate Bill No. 489, by Senator Sieler, entitled: "An Act relating to public welfare;"

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Social Security.

Senate Bill No. 490, by Senator Sieler, entitled: "An Act relating to state and county government;"

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

Senate Bill No. 491, by Senator Sieler, entitled: "An Act relating to state and county highways;"

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Roads and Bridges.

Senate Bill No. 492, by Senator Sieler, entitled: "An Act relating to public education;"

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Education.

Senate Bill No. 493, by Senator Sieler, entitled: "An Act relating to institutions of higher education;"

The bill was read the first time, and on motion of Senator Sieler the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Educational Institutions.

Engrossed House Bill No. 180, by Representative Riley, entitled: "An Act relating to insurance; specifying the persons to whom payment under life insurance policies shall be made and the effect of such payment; providing for the manner of assignment of such policies and for the protection of persons interested in life insurance policies; and providing that accident policies shall be deemed to be life policies under the terms of this act so far as they provide for death benefits; and providing that this act shall apply to annuity contracts and to fraternal benefit societies and fraternal benefit certificates."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title and referred to the Committee on Insurance.

Substitute House Bill No. 192, by Committee on Roads and Bridges, entitled: "An Act relating to public highways; providing for the establishment, location, construction and maintenance of mine to market roads; defining the powers and duties of certain state officers; creating a mines to market road commission; providing for the use of state, county and other public funds; providing for an appropriation; and declaring an emergency."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title and referred to the Committee on Roads and Bridges.

House Bill No. 263, by Representative Carty, entitled: "An Act relating to taxation and the listing and assessment of certain kinds of personal property; and amending section 21, chapter 130, Laws of the Extraordinary Session of 1925, as amended by section 1, chapter 282, Laws of 1927."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title and referred to the Committee on Revenue and Taxation.

Engrossed House Bill No. 264, by Representative Carty, entitled: "An Act relating to taxation; providing for the exemption of grains and flour, fruit and fruit products, vegetables and vegetable products and fish and fish products from taxation under certain conditions; repealing chapter 58, Laws of 1937 (Rem. Rev. Stat., sections 11130-1 to 11130-3, inc.); and declaring an emergency."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title and referred to the Committee on Revenue and Taxation.

House Bill No. 271, by Representative Hurley, entitled: "An Act relating to corporations; amending sections 5, 8, 18, 21, 31, 38, 41, 47, 49 and 59 of chapter 185 of the Laws of 1933; adding new sections to chapter 185 of the Laws of 1933 to be numbered 21½, 32½, 40½ and 59½; and repealing certain acts and parts of acts in relation thereto."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title and referred to the Committee on Corporations Other Than Municipal.

Engrossed House Bill No. 282, by Committee on Commerce and Manufacturing, entitled: "An Act relating to unfair competition, discrimination and practices in connection with the sale of certain articles and commodities and the rendering of certain services; defining, prohibiting and making the same unlawful; providing for civil and criminal actions in connection therewith; and prescribing penalties."

The bill was read the first time, and on motion of Senator Dawson the rules were suspended, the bill was read the second time by title and referred to the Committee on Commerce and Manufacturing.

House Bill No. 322, by Judiciary Committee, entitled: "An Act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make uniform the law with reference thereto."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title and referred to the Committee on Banks and Banking.

Engrossed House Bill No. 323, by Committee on Cities of the First Class, entitled: "An Act relating to municipally owned street railway or surface transportation systems in cities having more than three hundred thousand population; providing for the borrowing of money from the Reconstruction Finance Corporation or any other agency of the United States Government for street railway and surface transportation purposes in such cities, and for the issuance of bonds payable from the revenues of such systems to evidence such loans, the proceeds thereof to be used for the purpose of purchasing and acquiring equipment and extensions, repairs, improvements and betterments to, and the operation of, said systems, and to refund outstanding indebtedness payable from the revenues of said systems, to validate all such outstanding indebtedness and to create transportation commissions in such cities, and to prescribe the powers and duties thereof, and to repeal all laws or parts of laws and the provisions of any city charter in conflict herewith in so far as such conflict exists."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title and referred to the Committee on Cities of the First Class.

House Bill No. 365, by Representative Reilly (Edward J.) (By Request), entitled: "An Act relating to interest coupons on bonds issued by counties, cities, towns and school districts; and repealing all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title and referred to the Committee on Judiciary.

House Bill No. 372, by Representative Payne, entitled: "An Act to regulate the indorsement, transfer and delivery of shares of stock in corporations, and to make uniform the law with relation thereto, and to repeal all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Rosellini the rules were suspended, the bill was read the second time by title and referred to the Committee on Corporations Other Than Municipal.

House Bill No. 382, by Representative Mackie, entitled: "An Act giving county commissioners the power to designate county owned lands as home-site lands; providing for the settlement, improvement and deeding of such lands; and repealing all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Roup the rules were suspended, the bill was read the second time by title and referred to the Committee on Counties and County Boundaries.

Re-engrossed House Bill No. 324, by Committee on Horticulture, entitled: "An Act relating to apples; providing for the sale and distribution thereof and the prevention of frauds in such sale and distribution; providing for grades and labels and the issuance of permits; levying assessments and fees and providing for their collection; prescribing penalties; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Mills the rules were suspended, the bill was read the second time by title and referred to the Committee on Horticulture.

GENERAL FILE

Senate Bill No. 111:

Senator Reardon moved the adoption of the following amendment to Senate Bill No. 111:

Amend the title—after the word "thereof" and before the word "and" by inserting the following: ", and to the establishment of the water level of lakes and the jurisdiction of the superior courts in connection therewith,".

Amend the title—after the words and figures "Laws of 1917" and before the period (.)—by inserting the following: ", and declaring an emergency".

Amend the bill—after section 1—by adding eight new sections thereto to read as follows:

"Sec. 2. Any ten or more owners of real property abutting on any meandered lake in the State of Washington may petition the superior court of the county in which such lake may be wholly situated for an order to provide for the regulation of the outflow of such lake in order to maintain a certain water level therein, in the interests of flood control, and said superior court is hereby authorized, after hearing, to make and enter an order fixing the water level thereof and directing the state supervisor of hydraulics to regulate the outflow therefrom for the purpose of maintaining such water level so fixed.

"Sec. 3. Such petition shall contain a complete description of the property surrounding said lake with the number of front feet contained in each tract with the name of the owner thereof and his address together with a brief statement of the reasons and necessity for such application; that the level sought to be established will in no wise interfere with the navigability of said lake or in any manner affect or interfere with fish or game fish which may be then contained or may thereafter be deposited in said lake, but that in order to protect fish or game fish in said lake the construction of fish ladders or other devices may be required to conserve and protect such fish or game fish,

then in that event the property owners to be benefited by the establishment of said water level in such lake shall be required to pay the cost thereof, in proportion to lineal feet of water front owned by each.

"Sec. 4. The petition to the superior court shall be entitled "In the Matter of fixing the level of Lake in County, Washington," and shall be filed with the clerk of the court, and a copy thereof, together with a copy of the order fixing the time for hearing said petition, shall be served upon each owner of property abutting on said lake not less than ten (10) days prior to the date of such hearing. Like copies shall also be served upon the director of the department of fisheries, the director of the department of game and the supervisor of hydraulics, all of the State of Washington.

"Sec. 5. At the hearing before the superior court, evidence shall be introduced in support of the petition and all interested parties may be heard for or against said petition at the conclusion of which the court shall make and enter findings and conclusions and enter a final order granting or refusing such petition or application, and in the event such petition is granted shall fix the water level to be maintained and direct the supervisor of hydraulics of the State of Washington to regulate and control the outflow of said lake so as to properly maintain said water level whenever the proper control devices shall have been installed.

"Sec. 6. In the event the court shall find that to protect fish and game fish in said lake that fish ladders or other devices should be constructed therein or that other construction shall be necessary in order to maintain the determined lake level, the court shall find the proper device to be constructed, the probable cost thereof and by its order and judgment shall apportion the cost thereof among the persons whose property abuts on said lake in proportion to the lineal feet of waterfront owned by each which sum so found shall constitute a lien against said real property and shall be paid to the county treasurer and by him placed in a special fund to be known as "Lake Improvement Fund." The supervisor of hydraulics shall appoint a suitable person to be compensated by the property owners to regulate the determined level as decreed by the court.

"Sec. 7. Such improvement or device in said lake for the protection of the fish and game fish therein shall be installed by and under the direction of the board of county commissioners of said county with the approval of the respective directors of the department of fisheries, the department of game and the director of hydraulics of the State of Washington and paid for out of the special fund provided for in section 5 hereof.

"Sec. 8. Any person aggrieved by the order of judgment of the superior court may appeal to the supreme court in the same manner as in other civil actions.

"Sec. 9. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately."

Senator Moe moved that the following amendment to the amendment be adopted:

Amend section 2 of the amendment by striking the period (.) at the end of said section, inserting a colon (:) in lieu thereof, and adding the following proviso: "*Provided*, That this section shall not apply to any meandered lake or reservoir used for the storage of water for irrigation or other beneficial purposes."

On motion of Senator Reardon, the amendment to the amendment submitted by Senator Moe was adopted.

The chair announced that the question now before the Senate is the adoption of the amendment offered by Senator Reardon, as amended.

The amendment submitted by Senator Reardon, as amended, was adopted.

The Chair announced that Senate Bill No. 111, as amended, was now on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 111, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy,

Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy and Wanamaker—42.

Those absent or not voting: Senators McMillan, Roup, Stinson and Voyce—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 93:

On motion of Senator Wanamaker, Senate Bill No. 93 was re-referred to the Committee on Fisheries.

President Meyers assumed the chair.

Senate Bill No. 357:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 357, entitled: "An Act relating to admission to the practice of law, amending section 8 of chapter 94 of the Laws of 1933 (section 138-8 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass., *Chairman.*

We concur in this report: Mary Farquharson, Leroy L. Todd, H. I. Kyle, Albert D. Rosellini, Judson W. Shorett, Harold P. Troy, Ralph Metcalf, F. L. Morgan, Earl Maxwell, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senator Sieler moved the adoption of the following amendment:

Amend section 1, lines 16 and 17 of the printed bill, same being line 26 of the original bill, by striking the words "as a member of the legislature of this state or".

On motion of Senator Kyle, the amendment was laid on the table.

Senators Reardon, Wanamaker and Todd demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 357, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Schroeder, Shorett, Thomas, Todd, Troy, Voyce and Wanamaker—33.

Those voting nay were: Senators Copeland, Dawson, Drumbheller, Keeler, Koontz, McAulay, Mills, Rosellini and Sieler—9.

Absent or not voting: Senators McMillan, Roup, Stinson and Sullivan—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Lovejoy assumed the chair.

Senate Bill No. 321:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympa, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate Bill No. 321, entitled: "An Act relating to the public sale of oil, gas, metalliferous and non-metalliferous mining leases, providing for the regulation and supervision thereof, licensing of agents, filing of statutory statements, and prescribing penalties and fees therefor.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CLIFFORD O. MOE, *Chairman.*

We concur in this report: Alfred E. Holt, J. M. Koontz, D. E. McMillan, Kebel Murphy, Fred S. Duggan.

On motion of Senator Moe, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 321, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Roberts, Rosellini, Roup and Stinson—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the rules were suspended and Senate Bill No. 321 was ordered immediately transmitted to the House.

Senate Bill No. 175:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 175, entitled: "An Act authorizing the department of business, budget and finance to build, equip and operate food processing plants; declaring the policy of such operation; making an appropriation, and providing that it shall be a misdemeanor to sell the products of such plants.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, line 1 of the original bill, the same being section 1, line 1 of the printed bill, by striking the words "business, budget and finance" and inserting in lieu thereof the words "finance, budget and business".

Amend Sec. 9 by striking the whole thereof and inserting in lieu thereof the following:

"Sec. 9. For the purpose of carrying out the provisions of this act, the following sums or so much thereof as may be necessary are hereby appropriated from funds indicated and for purposes stated:

FROM THE GENERAL FUND

For construction, equipment, materials and rentals.....\$40,000.00
 For cannery revolving fund which is hereby created in
 the State Treasury 20,000.00

FROM THE CANNERY REVOLVING FUND

For Salaries, Wages and Operations..... 60,000.00"

Amend the bill by adding a new section to be known as Sec. 10 to read as follows:

"Sec. 10. This act is necessary for the preservation of peace, health and safety and the support of the state government and its existing institutions and shall take effect immediately."
 JUDSON W. SHORETT, *Chairman*.

We concur in this report: John H. Ferryman, G. B. Kerstetter, Mary Farquharson, Paul G. Thomas, Robert T. McDonald, Chapin A. Mills, Gordon Klemgard, Geo. A. Lovejoy, Monty Percival, Kathryn E. Malstrom, Joseph Drumheller, Henry J. Copeland, W. C. Dawson, D. E. McMillan, A. E. Edwards.

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 175.

The bill was considered in the committee of the whole, Senator McAulay in the chair, and reported back to the Senate with the recommendation that it do pass, as amended.

On motion of Senator McAulay, the report of the committee of the whole was adopted.

On motion of Senator Murphy, the committee amendments read in the committee of the whole were adopted.

On motion of Senator Farquharson, the following amendments made in the committee of the whole were adopted:

- Amend the title by striking the period (.) after the word "plants" insert a comma (,) in lieu thereof and add "and declaring an emergency."
- Amend the title by striking the words "business, budget and finance" and inserting in lieu thereof the words "finance, budget and business".

Senator Murphy moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Kyle, Henderson and Rosellini demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 175, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—37.

Those voting nay were: Senators Koontz and McAulay—2.

Absent or not voting: Senators Duggan, Metcalf, Moe, Roberts, Roup, Sieler and Stinson—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Kerstetter, the rules were suspended and all bills passed by the Senate today were ordered immediately transmitted to the House.

At 1:35 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 7:30 o'clock p. m., this evening.

EVENING SESSION

The Senate re-convened at 7:30 o'clock p. m., President Meyers in the chair.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill Nos. 111 and 175, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Harold P. Troy, Paul G. Thomas.

The report was ordered received.

STANDING COMMITTEE REPORTS

Senate Bill No. 448:

The Committee on Roads and Bridges recommended that Senate Bill No. 448 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 355:

A part of the Committee on Roads and Bridges recommended that Senate Bill No. 355 do pass.

A part of the Committee on Roads and Bridges recommended that Senate Bill No. 355 do not pass.

A part of the Committee on Roads and Bridges reported Senate Bill No. 355 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 253:

A part of the Committee on Roads and Bridges recommended that Senate Bill No. 253 do pass.

A part of the Committee on Roads and Bridges recommended that Senate Bill No. 253 do not pass.

A part of the Committee on Roads and Bridges referred Senate Bill No. 253 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 422:

The Committee on Military recommended that Senate Bill No. 422 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 456:

The Committee on Forestry and Logged-off Lands recommended that Senate Bill No. 456 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 405:

A part of the Committee on Fisheries recommended that Senate Bill No. 405 do pass.

A part of the Committee on Fisheries recommended that Senate Bill No. 405 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 27:

The Committee on Fisheries recommended that Senate Bill No. 27 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 93:

The Committee on Fisheries recommended that Senate Bill No. 93 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 300:

The Committee on Elections and Privileges recommended that House Bill No. 300 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 415:

The Committee on Elections and Privileges recommended that Senate Bill No. 415 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 363:

The Committee on Game and Game Fish recommended that Senate Bill No. 363 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 323:

The Committee on Cities of the First Class recommended that Engrossed House Bill No. 323 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 364:

The Committee on Game and Game Fish recommended that Senate Bill No. 364 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 365:

The Committee on Game and Game Fish recommended that Senate Bill No. 365 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 436:

The Committee on Game and Game Fish recommended that Senate Bill No. 436 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 14:

A majority of the Committee on Elections and Privileges recommended that Senate Bill No. 14 do not pass.

A minority of the Committee on Elections and Privileges recommended that Senate Bill No. 14 do pass.

A minority of the Committee on Elections and Privileges reported Senate Bill No. 14 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 238:

The Committee on Elections and Privileges recommended that Senate Bill No. 238 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 438:

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 438 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 60:

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Engrossed House Bill No. 60 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 192:

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 192 do not pass.

A part of the Committee on Revenue and Taxation recommended that Senate Bill No. 192 do pass.

A part of the Committee on Revenue and Taxation referred Senate Bill No. 192 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 372:

The Committee on Corporations Other Than Municipal recommended that House Bill No. 372 do pass.

The report of the committee, together with the bill, was placed on general file.

GENERAL FILE**Senate Bill No. 382:**

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate Bill No. 382, entitled: "An Act relating to the taking and reduction of pilchards, amending section 1, chapter 137, Laws of 1935 (section 5721-1, Remington's Revised Statutes) and providing penalties for the violation hereof, and declaring that this act shall take effect January 1, 1940.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. E. EDWARDS, *Chairman*.

We concur in this report: Leroy L. Todd, Joe L. Keeler, Earl Maxwell, T. C. Bloomer.

On motion of Senator Edwards, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 382, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Klemgard, Lovejoy, Reardon and Schroeder—4.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 328:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 328, entitled: "An Act relating to the defense of tax suits, and making an appropriation therefor.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: John H. Ferryman, Chapin A. Mills, Henry J. Copeland, Alfred E. Holt, Paul G. Thomas, Howard Roup, A. E. Edwards, Monty Percival, Geo. A. Lovejoy.

On motion of Senator Maxwell, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 328.

The bill was considered in the committee of the whole, Senator McAulay in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator McAulay, the report of the committee of the whole was adopted.

Senator Maxwell moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 328, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Rosellini, Roup, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Those voting nay were: Senators Dawson, McMillan, Morgan, Sieler and Stinson—5.

Absent or not voting: Senators Drumheller, Klemgard, Lovejoy, Reardon, Roberts and Schroeder—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 361:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 361, entitled: "An Act relating to water and water supply districts; providing for the issuance and sale of water revenue bonds; providing for the payment thereof from revenues and from utility local improvement district assessments; creating a water revenue redemption fund; providing for the refunding of local improvement district bonds; and amending section 9 of chapter 114 of the Laws of 1929 (section 11587 of Remington's Revised Statutes) and section 1 of chapter 117 of the Laws of 1937 (section 11588 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman*.

We concur in this report: A. M. Murfin, J. M. Koontz, C. F. Stinson, Geo. F. McAulay, Clifford O. Moe.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

On motion of Senator Shorett, the following amendment was adopted.

Amend Sec. 2, line 10, page 5 of the original bill, being Sec. 2, line 33, page 3 of the printed bill, by striking the words "unless there be no" and inserting in lieu thereof the following: "if there is an".

The Secretary called the roll on the final passage of Senate Bill No. 361, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Keller, Kerstetter, Koontz, Kyle, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—38.

Those voting nay were: Senator Holt—1.

Absent or not voting: Senators Atkinson, Bloomer, Klemgard, Lovejoy, Reardon, Schroeder and Todd—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the rules were suspended and the Senate referred back to the second order of business for the purpose of receiving a committee report.

REPORT OF STANDING COMMITTEE

Senate Bill No. 11:

The Committee on Public Utilities recommended that Senate Bill No. 11 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 228:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 228, entitled: "An Act establishing within the department of Social Security a division for improving the condition of the blind and for the prevention of blindness and prescribing the power and duties thereof; establishing a home industries revolving fund to assist the blind to become self-supporting and amending section 5 of chapter 132 of the Laws of 1937, being Remington's Revised Statutes 10007-3.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: Kathryn E. Malstrom, Paul G. Thomas, Robert T. McDonald, Alfred E. Holt, D. E. McMillan, Gordon Klemgard, Geo. A. Lovejoy, Howard Roup, Henry J. Copeland, John H. Ferryman, A. E. Edwards.

On motion of Senator Shorett, the report of the committee was received and the bill was read the third time.

On motion of Senator Wanamaker, the following amendment was adopted:

Amend section 1, line 6, page 1 of the printed bill by striking the word "in" before the word "wages".

The Secretary called the roll on the final passage of Senate Bill No. 228, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keefer, Keller, Kerstetter, Koontz, Kyle, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Bloomer, Klemgard, Lovejoy and Reardon—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Substitute Senate Bill No. 219, by Committee on Social Security, entitled: "An Act relating to unemployment compensation, amending chapter 162 of the Laws of 1937, providing for the transfer of certain funds to the railroad unemployment insurance account in the United States treasury, making an appropriation and declaring an emergency."

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider Substitute Senate Bill No. 219.

The bill was considered in the committee of the whole, Senator Maxwell in the chair, and reported back to the Senate without recommendation.

On motion of Senator Kyle, the report of the committee of the whole was adopted.

On motion of Senator Sieler, the following amendments made in the committee of the whole were adopted:

Amend Sec. 20 by striking the entire section.

Amend the title by striking the following "and declaring an emergency".

Senator Reardon moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senator Reardon moved the adoption of the following amendment:

Amend section 6, line 26, page 15 of the original bill, being section 6, line 14, page 9 of the printed bill by striking the word "one" and inserting in lieu thereof four asterisks (" * * * * ") followed by the word "eight".

Senator Malstrom moved that the amendment offered by Senator Reardon be laid on the table.

Senators Reardon, Drumheller, Keeler, Murphy, Kyle, Atkinson, Voyce and Sullivan demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Malstrom carried by the following vote:

Those voting aye were: Senators Atkinson, Duggan, Edwards, Farquharson, Ferryman, Henderson, Kerstetter, Kyle, Malstrom, Maxwell, Mills, Moe, Morgan, Murphy, Percival, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Voyce and Wanamaker—23.

Those voting nay were: Senators Bloomer, Copeland, Dawson, Drumheller, Haddon, Holt, Keeler, Keller, Koontz, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Murfin, Orndorff, Reardon, Roberts, Roup, Sieler, Stinson and Troy—22.

Absent or not voting: Senator Klemgard—1.

Senator Murphy moved that the Senate now reconsider the vote by which the amendment striking the emergency clause was adopted.

On motion of Senator Maxwell, the motion was laid on the table.

Senators Maxwell, Orndorff and Drumheller demanded the previous question.

The previous question was ordered.

Senators Kyle, Kerstetter and Sullivan demanded a call of the Senate.

The demand for a call of the Senate was not sustained.

The Secretary called the roll on the final passage of Senate Bill No. 219, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Those voting nay were: Senators Bloomer, Copeland, Dawson, Murfin and Stinson—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Reardon gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 219 passed the Senate.

Senate Bill No. 319:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 319, entitled: "An Act relating to river improvement districts and repealing section 9629 to section 9650, inclusive, of Remington's Revised Statutes.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HERBERT H. SIELER, *Chairman.*

We concur in this report: Ted F. Schroeder, Keiron W. Reardon, J. W. Henderson, Kathryn E. Malstrom.

On motion of Senator Sieler, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 319, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Absent or not voting: Senators Atkinson and Moe—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 320:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 320, entitled: "An Act relating to flood control in counties and amending sections 9625, 9626 and 9627 of Remington's Revised Statutes.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HERBERT H. SIELER, *Chairman.*

We concur in this report: Ted F. Schroeder, Keiron W. Reardon, J. W. Henderson, Kathryn E. Malstrom.

On motion of Senator Sieler, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 320, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Atkinson, Drumheller, Farquharson, Keeler, Klemgard, Maxwell and Moe—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 150:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on Municipal Corporations Other Than First Class, to whom was referred Senate Bill No. 150, entitled: "An Act relating to the reimbursement of the mayor and city councilmen of third and fourth class cities for expenses incurred in the discharge of their official duties, and to the payment of salaries to said officers, and amending section 7 of chapter 184 of the Laws of 1915 and section 6 of chapter 7, page 346, Laws of 1889-90.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 16 of the original bill, the same being section 1, line 7 of the printed bill by striking the period after the word "*ordinance*" and insert the following: "but in no event shall such salary of the mayor exceed the sum of six hundred dollars (\$600) per annum nor shall the salary of each member of the council exceed the sum of two hundred dollars (\$200) per annum."

Amend Sec. 2, page 2, line 3 of the original bill, the same being Sec. 2, line 22 of the printed bill by striking the period after the word "*ordinance*" and insert the following: "but in no event shall such salary of the mayor exceed the sum of six hundred dollars (\$600) per annum nor shall the salary of each member of the council exceed the sum of two hundred dollars (\$200) per annum."

CHAS. F. STINSON, *Chairman.*

We concur in this report: Herbert H. Sieler, Thomas Voyce, F. L. Morgan, Clifford O. Moe.

On motion of Senator Stinson, the report of the committee was received and the bill was read the third time.

On motion of Senator Sieler, the committee amendments were adopted.

On motion of Senator Keeler, the following amendments were adopted:

Amend the committee amendment to section 1 as follows: In line 5 of the mimeographed copy after the word "salary" insert the words "and expenses" and amend line 7 of the mimeographed copy after the word "salary" by inserting the words "and expenses".

Amend the committee amendment to Sec. 2 as follows: in line 5 of the mimeographed copy after the word "salary" insert the words "and expenses" and amend line 6 of the mimeographed copy after the word "salary" by inserting the words "and expenses".

The Secretary called the roll on the final passage of Senate Bill No. 150, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wana-maker—44.

Absent or not voting: Senators Atkinson and Moe—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 215:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Municipal Corporations Other Than First Class, to whom was referred Senate Bill No. 215, entitled: "An Act relating to third class cities; providing for and fixing the terms of offices for mayor, attorney, clerk and treasurer thereof.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CHAS. F. STINSON, *Chairman.*

We concur in this report: Herbert H. Sieler, Mary Farquharson, Clifford O. Moe, F. L. Morgan, Thomas Voyce.

On motion of Senator Stinson, the report of the committee was received and the bill was read the third time.

On motion of Senator Kyle, the following amendment was adopted:

Amend the bill by adding thereto a new section to be known as Sec. 2 and to read as follows: "Sec. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately."

Senator Reardon assumed the chair.

On motion of Senator Kyle, the following amendment was adopted:

Amend the title by striking the period (.) at the end of same, insert a semi-colon (;) and add "and providing that this act shall take effect immediately."

The Secretary called the roll on the final passage of Senate Bill No. 215, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Absent or not voting: Senators Atkinson and Roup—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 10:00 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTY-FIRST DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Tuesday, February 28, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Maxwell.

Reverend Robert Brumblay, of the First Methodist Episcopal Church of Olympia, offered prayer.

On motion of Senator Keeler, the reading of the journal of the previous day was dispensed with and it was approved.

On motion of Senator Troy, the rules were suspended and the Senate referred to the fourth order of business for the purpose of receiving a message from the Governor.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, February 28, 1939.

CLARENCE D. MARTIN, *Governor.*

*To the Honorable, The Senate and House of Representatives of the
State of Washington.*

LADIES AND GENTLEMEN:

I am in receipt of a letter from Mrs. Elizabeth R. Lord and her daughter Mrs. W. D. Lucas, of Olympia, Washington, a copy of which is hereto attached.

I consider this proposal worthy of your immediate consideration.

Respectfully,

CLARENCE D. MARTIN,
Governor.

Letterhead of

C O P Y

FRANK C. OWINGS
 Lawyer
 National Bank of Commerce Building
 Olympia, Washington

February 25, 1939.

Honorable Clarence D. Martin,
 Governor of the State of Washington,
 Olympia, Washington.

DEAR GOVERNOR:

Our husband and father, the late Clarence J. Lord, became a citizen of the state some fifty years ago, living the entire time in Olympia. He was proud of his citizenship and loved our commonwealth. It is a pleasure to us in memory of him to grant our home to the state for public use, in conformity with the accompanying deed which is to be delivered to the proper authorities if acceptable to them.

May I not impose on you to take or initiate such action as may be necessary in the premises?

Sincerely,

(signed) ELIZABETH R. LORD

(signed) MRS. W. D. LUCAS (HELEN LORD)

Senator Duggan assumed the chair.

On motion of Senator Troy, the Senate referred to the first order of business.

The Secretary read:

Senate Joint Resolution No. 18, by Senator Troy:

Be It Resolved by the Senate and the House of Representatives of the State of Washington in Legislative Session Assembled:

WHEREAS, the Governor of the State of Washington has transmitted to the legislature the following communication:

"February 25, 1939.

"Honorable Clarence D. Martin,
 Governor of the State of Washington
 Olympia, Washington

DEAR GOVERNOR:

"Our husband and father, the late Clarence J. Lord, became a citizen of the State some fifty years ago, living the entire time in Olympia. He was proud of his citizenship and loved our commonwealth. It is a pleasure to us in memory of him to grant our home to the State for public use, in conformity with the accompanying deed which is to be delivered to the proper authorities if acceptable to them.

"May I not impose on you to take or initiate such action as may be necessary in the premises?

Sincerely,

(signed) ELIZABETH R. LORD

(signed) MRS. W. D. LUCAS (Helen Lord)"

together with a deed dated February 25, 1939, conveying to the State of Washington for public purposes that certain piece of land comprising the home and grounds long occupied by the Lord family, and described as Block Two (2), Grainger's Addition to the City of Olympia, in Thurston County, State of Washington; and

WHEREAS, the citizenship of the late Clarence J. Lord in our beloved state spanned the entire life of our state and this gift is in memory of his love for our commonwealth; *Therefore, Be It Resolved*, that the State of Washington hereby accepts the grant and gift so made and expresses gratitude and appreciation for this magnificent gift to the people of the State of Washington and the public spirit which prompted the said gift, and

Be It Further Resolved, that the above described property be placed under the custody and control of the division of public institutions of the department of finance, budget and business, and

Be It Further Resolved, that copies of this resolution be suitably enrolled and transmitted to Elizabeth R. Lord and her daughter, Mrs. W. D. Lucas.

Senate Joint Resolution No. 18 was read the first time.

On motion of Senator Troy, the resolution was read the second time by title, read the third time in full, and placed on final passage.

President Meyers assumed the chair.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 18, and it was adopted by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Kyle, Maxwell, Schroeder and Shorett—4.

The resolution, having received the constitutional majority, was declared adopted.

On motion of Senator Troy, the rules were suspended and Senate Joint Resolution No. 18 was ordered immediately transmitted to the House.

MOTION FOR RECONSIDERATION

Senate Bill No. 219:

Senator Reardon moved that the Senate now reconsider the vote by which Senate Bill No. 219 passed the Senate.

Senator Farquharson moved that the motion by Senator Reardon be laid on the table.

Senators Reardon, Drumheller and Orndorff demanded a call of the Senate.

Senator Orndorff moved that Senator Maxwell be excused.

The motion of Senator Orndorff failed to carry.

The President announced that the question now before the Senate is: "Shall the demand for the call of the Senate be sustained?"

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present except Senators Maxwell and Shorett.

On motion of Senator Reardon, the Senate proceeded with the regular order of business without jeopardizing the motion made by him to reconsider the vote by which Senate Bill No. 219 passed the Senate.

On motion of Senator Murphy, the call of the Senate was dispensed with.

Senator Reardon moved that the Senate do now reconsider the vote by which Senate Bill No. 219 passed the Senate.

Senators Reardon, Drumheller and Orndorff demanded a call of the Senate.

The Chair announced that the question now before the Senate is: "Shall the demand for a call of the Senate be sustained?"

The demand for a call of the Senate was not sustained.

The Chair announced that the question now before the Senate is: "Shall the motion by Senator Reardon to reconsider the vote by which Senate Bill No. 219 passed the Senate be laid on the table?"

The Secretary called the roll, and the motion by Senator Farquharson to lay the motion of Senator Reardon on the table carried by the following vote:

Those voting aye were: Senators Atkinson, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Kerstetter, Kyle, Lovejoy, Malstrom, McDonald, Mills, Moe, Morgan, Murphy, Percival, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—26.

Those voting nay were: Senators Bloomer, Copeland, Dawson, Drumheller, Haddon, Keeler, Keller, Klemgard, Koontz, McAulay, McMillan, Metcalf, Murfin, Orndorff, Reardon, Roberts, Roup, Sieler and Stinson—19.

Absent or not voting: Senator Maxwell—1.

The Secretary read:

Senate Concurrent Resolution No. 4, by Committee on Rules and Joint Rules:

Be It Resolved, by the Senate of the State of Washington, the House of Representatives concurring, that after Saturday, the fourth day of March, 1939, at six o'clock, p. m., the Senate will not consider any Senate bills and the House will not consider any House bills; and that after twelve o'clock noon on Thursday, the ninth day of March, 1939, neither the Senate nor the House will consider any bills or matters except conference reports and free conference reports and matters incident to the closing of the business of this session of the Legislature.

On motion of Senator Reardon, the resolution was adopted.

On motion of Senator Reardon, the rules were suspended and Senate Concurrent Resolution No. 4 was ordered immediately transmitted to the House.

The Secretary read:

SENATE RESOLUTION

By Senator Schroeder:

*Be It Resolved By The Senate of The State of Washington
in Legislative Session Assembled:*

THAT WHEREAS, The most effective means of restoring prosperity and providing reemployment is the encouragement of industry; and

WHEREAS, The manufacture of red cedar shingles has been one of the most important industries of the State of Washington, providing employment for thousands of men and for the welfare of their families; and

WHEREAS, Through the efforts of former Senator C. C. Dill and Senator Homer T. Bone in securing a quota protection for this industry and through the adoption of the quota amendment by Senator Homer T. Bone to the Revenue Act of 1936, the red cedar shingle industry of this state was saved; and

WHEREAS, Under the present reciprocal agreement with Canada the red cedar shingle industry is again threatened with destruction by the unfair competition of shingles from British Columbia produced under wage and cost conditions with which Washington manufacturers maintaining the American standard of wages and of living cannot compete:

Therefore Be It Resolved, By the Senate of the State of Washington that Senators Homer T. Bone and Lewis B. Schwellenbach and the members of Congress from the State of Washington petition the President of the United States and the Department of State to use every means in their power to insure salvation of this important industry and employment of thousands of workers by immediate action of the Federal Government.

Senator Schroeder moved that the resolution be adopted.

Senators Moe, Sieler and Troy demanded the previous question.

The previous question was ordered.

Senators Stinson, Thomas, Farquharson, Voyce, Sullivan, Kyle, Atkinson and Malstrom demanded a roll call.

A roll call was ordered.

The Secretary called the roll, and the resolution was adopted by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Edwards, Haddon, Keller, Kyle, McMillan, Metcalf, Mills, Moe, Morgan, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—26.

Those voting nay were: Senators Atkinson, Duggan, Farquharson, Ferryman, Henderson, Holt, Keeler, Kerstetter, Koontz, Lovejoy, Malstrom, McAulay, McDonald, Murfin, Murphy and Reardon—16.

Absent or not voting: Senators Klemgard, Maxwell, Roup and Wanamaker—4.

The resolution, having received the constitutional majority, was declared passed.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bills No. 150, 215, 228 and 361, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman*.

We concur in this report: Joseph D. Roberts, Paul G. Thomas.

The report was ordered received.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 57:

The Committee on Appropriations recommended that Senate Bill No. 57 be re-referred to the Committee on Roads and Bridges.

On motion of Senator Shorett, the report of the committee was adopted. Senator Moe assumed the chair.

Senate Bill No. 121:

A majority of the Committee on Appropriations recommended that Senate Bill No. 121 do pass.

A minority of the Committee on Appropriations recommended that Senate Bill No. 121 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Substitute Senate Bill No. 219, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman*.

We concur in this report: Joseph D. Roberts, Harold P. Troy, Robert T. McDonald, Paul G. Thomas.

The report was ordered received.

REPORTS OF STANDING COMMITTEES**Senate Bill No. 169:**

A majority of the Committee on Appropriations recommended that Senate Bill No. 169 do pass.

A minority of the Committee on Appropriations recommended that Senate Bill No. 169 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 28:

A part of the Committee on Appropriations recommended that Senate Bill No. 28 do pass.

A part of the Committee on Appropriations recommended that Senate Bill No. 28 do not pass.

A part of the Committee on Appropriations referred Senate Bill No. 28 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 180:

The Committee on Insurance recommended that Engrossed House Bill No. 180 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 366:

The Committee on State Granted, School and Tide Lands recommended that Senate Bill No. 366 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 342:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that House Bill No. 342 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 135:

The Committee on Agriculture recommended that Engrossed House Bill No. 135 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 490:

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 490 do pass with certain amendments.

A minority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 490 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, February 28, 1939.

CLARENCE D. MARTIN, *Governor*.

To the Honorable, the Senate of the State of Washington

LADIES AND GENTLEMEN:

I have the honor to submit herewith a list of appointments, subject to your confirmation, made by me since the adjournment of the 1937 Session of the Legislature:

BOARD OF REGENTS OF THE STATE COLLEGE OF WASHINGTON

GEORGE H. GANNON, Pullman, appointed March 30, 1937, effective March 30, 1937, for the term ending March 9, 1941, succeeding W. A. Ritz, resigned.

ARTHUR W. DAVIS, Spokane, appointed March 30, 1937, effective March 30, 1937, for the term ending March 9, 1943, succeeding himself, term expired.

BEN PERHAM, Yakima, appointed March 30, 1937, effective March 30, 1937, for the term ending March 9, 1943, succeeding himself, term expired.

BOARD OF TRUSTEES OF WESTERN WASHINGTON COLLEGE OF EDUCATION

W. D. KIRKPATRICK, Bellingham, appointed June 14, 1937, effective June 14, 1937, for the term ending June 12, 1941, succeeding himself, term expired.

VERNE BRANIGIN, Mount Vernon, appointed June 14, 1937, effective June 14, 1937, for the term ending June 12, 1943, succeeding himself, term expired.

DIRECTOR OF SOCIAL SECURITY

CHARLES F. ERNST, Olympia, appointed March 31, 1937, effective April 1, 1937, for the term ending at the pleasure of the Governor.

DIRECTOR OF CONSERVATION AND DEVELOPMENT

JOHN BROOKE FINK, Olympia, appointed August 4, 1937, effective August 4, 1937, for the term ending at the pleasure of the Governor, succeeding E. F. Banker, resigned.

COMMISSIONER OF UNEMPLOYMENT COMPENSATION AND PLACEMENT

JACK E. BATES, Olympia, appointed February 10, 1939, effective February 10, 1939, for the term ending at the pleasure of the Governor.

BOARD OF PRISON TERMS AND PAROLES

W. I. DALEY, Colfax, appointed May 4, 1937, effective May 4, 1937, for the term ending April 15, 1943, succeeding himself, term expired.

WILLIAM J. WILKINS, Seattle, appointed March 5, 1938, effective March 5, 1938, for the term ending April 15, 1941, succeeding Louis F. Bunge, resigned.

STATE TAX COMMISSION

T. S. HEDGES, Waterville, appointed February 27, 1939, effective February 27, 1939, for the term ending January 31, 1945, succeeding himself, term expired.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor*.

Senator Reardon moved that the nominations to the Board of Regents at the State College of Washington be taken up at this time and voted upon.

Senator Murfin moved that the nomination of George H. Gannon to the Board of Regents of the State College of Washington be referred to the Committee on Educational Institutions.

The motion by Senator Murfin carried.

Senator Murfin moved that the nominations of Arthur W. Davis and Ben Perham be confirmed.

Senator Shorett moved that the nominations of Arthur W. Davis and Ben Perham be referred to the Committee on Educational Institutions.

The Chair announced that the question now before the Senate is on the amendment to the motion, the amendment being that the recommendations be referred to the Committee on Educational Institutions.

The motion by Senator Shorett carried.

On motion of Senator Reardon, all nominations contained in the Governor's Message, except the nominations of George H. Gannon, Arthur W. Davis and Ben Perham, to the Board of Regents of the State College of Washington, were made a special order of business for 11:00 o'clock a. m. tomorrow.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 43, and the same is herewith transmitted.
S. R. HOLCOMB, Chief Clerk.

INTRODUCTION OF BILLS

Re-Engrossed House Bill No. 80, by Representative Jones, entitled: "An Act relating to revenue and taxation and the powers and duties of public officers in connection therewith, the filing of plats, the taxation of private motor vehicles, reforestation lands, utility property, private car companies, express companies and of property generally in the state, amending sections 2 and 5, chapter 228, Laws of 1937; section 1, chapter 186, Laws of 1937; section 1, chapter 15, Laws of 1931; section 1, chapter 127, Laws of 1935; sections 6 and 12, chapter 280, Laws of 1927; section 1, chapter 19, Laws Extraordinary Session 1933; section 2, chapter 104, Laws of 1933; section 1, chapter 48, Laws of 1933; sections 10, 12, 13, 14, 22, 52, 57, 58, 64, 68, 70, 72, 73, 81, and 105, Laws Extraordinary Session 1925; sections 7, 13, and 14, chapter 123, Laws of 1935; sections 7, 10, 11, and 13, chapter 146, Laws of 1933; sections 2, 3, 4, 5, 6, 7, and 8, chapter 54, Laws of 1907; sections 10 and 11, chapter 40, Laws of 1931; section 1, chapter 56, Laws of 1937; section 2, chapter 121, Laws of 1937; section 1, chapter 70, Laws of 1929; section 1, chapter 20, Laws of 1937; section 2, chapter 171, Laws of 1933; section 7, chapter 30, Laws of 1935; section 1, chapter 118, Laws of 1937 and sections 6 and 7, chapter 62, Laws of 1931, and declaring an emergency."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

Engrossed House Bill No. 284, by Judiciary Committee, entitled: "An Act relating to the publications and documents of the State of Washington and providing for the care, custody, distribution and sale thereof; repealing sections 7, 8, 9 and 10 of chapter 171 of the Laws of 1903 (sections 8217, 8218, 8219, 8220, 8221, 8222, 8223, 8224 and 8225 of Remington's Revised Statutes; sections 6552, 6553, 6554, 6555, 6555a, 6555b and 6555c of Pierce's Code); section 5 of chapter 167 of the Laws of 1905 (section 11072 of Remington's Revised Statutes; section 8687 of Pierce's Code); section 7 of chapter 84 of the Laws of 1919 (section 8253 of Remington's Revised Statutes; section 5512-7 of Pierce's Code); section 2 of chapter 94 of the Laws of the Extraordinary Session of 1925 (section 8254-2 of Remington's Revised Statutes; section 5512-10 of Pierce's Code); section 2 of chapter 27 of the Laws of 1933 (section 8199 of Remington's Revised Statutes; section 6231 of Pierce's Code)."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

GENERAL FILE

Senate Bill No. 316:

On motion of Senator Metcalf, Senate Bill No. 316 was re-referred to the Committee on Judiciary for purposes of amendment.

Senate Bill No. 264:

On motion of Senator McMillan, Senate Bill No. 264 was dropped down three places below on the calendar.

Senate Bill No. 387, by Committee on Harbors and Waterways, entitled: "An Act relating to port districts and amending section 1, chapter 133, Laws of 1935 (section 9691A-1, Remington's Revised Statutes).", was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 387, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—34.

Absent or not voting: Senators Bloomer, Drumheller, Farquharson, Ferryman, Haddon, Malstrom, Mills, Moe, Murfin, Roup, Sieler and Todd—12.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 412:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate Bill No. 412, entitled: "An Act relating to the state government and authorizing the department of fisheries and the department of game to each establish and operate certain funds as therein provided, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. E. EDWARDS, *Chairman*.

We concur in this report: K. W. Reardon, Leroy L. Todd, Harold P. Troy, Joe L. Keeler.

On motion of Senator Edwards, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 412, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Troy, Voyce and Wanamaker—37.

Absent or not voting: Senators Bloomer, Drumheller, Ferryman, Keller, Maxwell, Moe, Murfin, Stinson and Todd—9.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 371:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Parks and Playgrounds to whom was referred Senate Bill No. 371, entitled: "An Act relating to Big Tree State Park, authorizing the disposition thereof by the state parks committee, creating the Federation park fund and providing therefor, making an appropriation and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOSEPH D. ROBERTS, *Chairman.*

We concur in this report: Leroy L. Todd, Alfred E. Holt, J. W. Henderson, James T. Sullivan, Paul G. Thomas.

On motion of Senator Roberts, the report of the committee was received and the bill was read the third time.

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 371.

The bill was considered in the committee of the whole, Senator Duggan in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Duggan, the report of the committee was adopted.

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 371, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wana-maker—38.

Absent or not voting: Senators Atkinson, Bloomer, Drumheller, Koontz, Maxwell, Moe, Murfin and Troy—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 385:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate Bill No. 385, entitled: "An Act relating to election laws, providing for the complete codification thereof, and making an appropriation.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman.*

We concur in this report: Paul G. Thomas, Alfred E. Holt, A. E. Edwards, Judson W. Shorett, Monty Percival, Robert T. McDonald, Gordon Klemgard, Howard Roup, Henry J. Copeland, Geo. A. Lovejoy, John H. Ferryman.

On motion of Senator Sieler, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 385.

The bill was considered in the committee of the whole, Senator Holt in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Holt, the report of the committee was adopted.

Senator Reardon assumed the chair.

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 385, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Bloomer, Drumheller, Ferryman, Maxwell, Moe, Morgan, Murfin—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 264:

On motion of Senator Kyle, Senate Bill No. 264 was placed on the calendar between Senate Bill No. 363 and Senate Bill No. 376.

Senate Bill No. 322:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 322, entitled: "An Act to create an association to be known as the 'Washington State Chiropractors' Association'; to provide for its

organization, government, membership and powers; to regulate the practice of chiropractic and to provide penalties for the violation of said act, and repealing all acts or parts of acts in conflict therewith.", have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

J. W. HENDERSON, *Chairman.*

We concur in this report: Henry J. Copeland, Robert T. McDonald, Lulu D. Haddon.

Senate Chamber,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 322, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

We concur in this report: G. B. Kerstetter, Paul G. Thomas, Geo. A. Lovejoy.

On motion of Senator McDonald, the reports of the committee were received and the bill was read the third time.

On motion of Senator McDonald, the following amendment was adopted:

Amend section 8, line 32, page 2 of the printed bill, by striking the period (.) after the word "same", substituting therefor a semi-colon (;) and add the following: "Provided, however, That nothing in this act shall in any way nullify the provisions of the Basic Science Law nor exempt therefrom any applicant to practice chiropractic."

The Secretary called the roll on the final passage of Senate Bill No. 322, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Ferryman, Holt, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Morgan, Percival, Rosellini, Shorett, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—19.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Edwards, Haddon, Henderson, Kerstetter, Klemgard, Koontz, Kyle, McDonald, Mills, Murphy, Orndorff, Reardon, Roberts and Schroeder—17.

Absent or not voting: Senators Duggan, Farquharson, Keeler, Keller, Maxwell, Moe, Murfin, Roup, Sieler and Wanamaker—10.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Kerstetter gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 322 failed to pass the Senate.

Senate Bill No. 310:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Forestry and Logged-off Lands to whom was referred Senate Bill No. 310, entitled: "An Act relating to forestry, forest lands, the acquisition and transfer thereof and the powers of the State Forest Board and the officers of the several counties relative thereto.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

TED F. SCHROEDER, *Chairman.*

We concur in this report: Joe L. Keeler, Ralph Metcalf, Harold P. Troy, Alfred E. Holt.

On motion of Senator Schroeder, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 310, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Mills, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—37.

Absent or not voting: Senators Drumheller, Duggan, Farquharson, Keller, Maxwell, McDonald, Moe, Murfin and Rosellini—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Meyers assumed the chair.

Senate Joint Resolution No. 4:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Constitutional Revision to whom was referred Senate Joint Resolution No. 4, entitled: "Providing for submission to the electors of the state of a constitutional amendment amending article VII of the constitution, relating to taxation, by adding thereto a new section to be designated section 2, providing for the limitation of property tax levies in the State of Washington.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend line 16, page 1 of the original resolution, the same being line 15, page 1 of the printed resolution after the word "be" and before the word "fifty" insert the following words "*not to exceed*".

Amend lines 26 and 27, page 1 of the original resolution, the same being line 23, page 1 of the printed resolution after the word "*limitation*" and before the word "*shall*" strike the words "*or any limitation that may be fixed by law*".

Amend line 27, page 1 of the original resolution, the same being line 23, page 1 of the printed resolution after the word "*control*" and before the word "*levy*" strike the word "*the*" and insert in lieu thereof the words "*a special*".

Amend line 27, page 1 of the original resolution, the same being line 23, page 1 of the printed resolution after the word "*taxes*" and before the word "*for*" strike the words "*by or*" and insert in lieu thereof the words "*permitted by law in excess of the rate fixed*".

....., *Chairman.*

We concur in this report: K. W. Reardon, Ralph Metcalf, Harold P. Troy, Gordon Klemgard, W. R. Orndorff, Geo. F. McAulay.

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 4, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

H. I. KYLE, *Chairman.*

We concur in this report: Kebel Murphy, Mary Farquharson, Fred S. Duggan.

On motion of Senator Kyle, the reports of the committee were received and the resolution was read the third time.

Senators Orndorff, Stinson and Keller demanded a call of the Senate.

A call of the Senate was ordered.

On motion of Senator Orndorff, Senator Maxwell was excused.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Clerk called the roll, all Senators being present with the exception of Senator Maxwell, who was excused.

The Senate proceeded under the call of the Senate.

On motion of Senator Kyle, the committee amendment, amending line 16, page 1 of the original resolution, was adopted.

On motion of Senator Reardon, the committee amendment, amending lines 26 and 27, page 1 of the original resolution, was adopted.

On motion of Senator Reardon, the committee amendment, amending line 27, page 1 of the original resolution, was adopted.

On motion of Senator Reardon, the committee amendment, amending line 27, page 1 of the original resolution, the same being line 23, page 1 of the printed resolution was adopted.

Senator Kyle moved the adoption of the following amendment:

Amend section 2, lines 23 and 24 of the original resolution, in lines 14 and 15 of the printed resolution, strike the words: "Prior to December 6, 1934."

On motion of Senator Orndorff, the amendment was laid on the table.

Senator Morgan moved the adoption of the following amendment:

Amend section 2, lines 4 and 5 of the printed resolution, same being line 16 of the original resolution, by striking out the words "fifty per cent of".

On motion of Senator Klemgard, the amendment was laid on the table.

Senator Kyle moved the adoption of the following amendment:

Amend section 2, line 12 of the printed resolution, same being line 19 of the original resolution. After the colon (:) following the word "law" in line 12 of the printed resolution, strike everything down to the colon (:) following the word "district" in line 16, and insert in lieu thereof the following:

"Provided, Such limitation shall not apply to levies to pay warrants legally issued by any taxing authority in the state prior to December 6, 1934, nor to the principal and interest of any legally issued general obligation bonds of such taxing authority, nor to any levy necessary to prevent the impairment of the obligation of contracts".

On motion of Senator Orndorff, the amendment was laid on the table.

Senator Wanamaker moved the adoption of the following amendment:

Amend Senate Joint Resolution No. 4 by striking everything after the resolution clause and substituting in lieu thereof the following:

That, at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1940, there shall be submitted to the qualified electors of this state for their adoption and approval, or rejection, an amendment to section 1, article VII of the constitution of the State of Washington, as amended by the Fourteenth Amendment thereof, so that the same shall read as follows:

Section 1. The power of taxation shall never be suspended, surrendered or contracted away. All taxes shall be uniform upon the same class of * * * * subjects within the territorial limits of the authority levying the tax and shall be levied and collected for public purposes only. * * * * There shall be such exemptions from taxation as the legislature by general law may provide. The legislature shall have power to impose personal net income taxes at graduated rates, corporate net income taxes at either uniform or graduated rates and corporate taxes measured by net income at either uniform or graduated rates; but in the case of any personal net income tax there shall be exempted from net income otherwise taxable not less than the following amounts: For a single person, \$1,000; for a husband and wife, \$2,000; for each minor child or other actual dependent, an additional \$300; and no such personal net income tax shall be imposed at a higher rate than three per cent on the first \$3,000 of taxable net income. The aggregate of all tax levies upon real and personal property in this state shall not in any year exceed forty mills on the dollar

of assessed valuation, which assessed valuation shall not exceed fifty per cent of the true and fair value of such property in money. The millage for the state and for each class of taxing unit, within the aforesaid aggregate limitation, shall be as now or hereafter fixed by law: Provided, That the limitations of this section shall not apply to the levy of such taxes as may be authorized by law by or for any port district or power district: Provided, further, That the limitations of this section shall not prevent the levy of additional taxes to pay principal and interest on general obligation bonds or warrants legally issued by or through the agency of the state or any other taxing unit before January 1, 1939, or necessary to prevent the impairment of the obligation of contracts: Provided, further, That the limitations of this section shall not prevent the levy of additional taxes by or for any county, city, town, school district or other taxing unit at a rate in excess of such limitations, or any limitation that may be fixed by law, when such levy is authorized by a three-fifths majority of the electors voting on the proposition at an election held, in the manner provided by law for holding general elections, in the year in which the levy is made and not oftener than once in such year, if the total number of persons voting at such election shall constitute forty per cent of the voters in said taxing unit who voted for the office of governor at the next preceding gubernatorial election.

And Be It Further Resolved, That the Secretary of State shall cause the foregoing amendment to be published for at least three months next preceding the election, in some weekly newspaper, in every county wherein a newspaper is published throughout the state.

Senator Roup moved that the amendment offered by Senator Wanamaker be laid on the table.

Senators Reardon, Murphy, Henderson, Roup, Voyce, Edwards, Rosellini and Sullivan demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Roup carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Sieler, Stinson and Troy—27.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Haddon, Kerstetter, Kyle, Malstrom, McAulay, Moe, Morgan, Murphy, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Voyce and Wanamaker—19.

Senators Reardon, Bloomer, and Dawson demanded the previous question.

The previous question was ordered.

The President announced that the question now before the Senate is on the adoption of the resolution.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 4, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Edwards, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Orndorff, Percival, Reardon, Roberts, Roup, Stinson and Troy—25.

Those voting nay were: Senators Atkinson, Duggan, Farquharson, Ferryman, Haddon, Kerstetter, Kyle, Malstrom, Moe, Morgan, Murfin, Murphy, Rosellini, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Voyce and Wanamaker—21.

The resolution, having failed to receive the constitutional majority, was declared lost.

Senator Sieler gave notice that at the proper time tomorrow, he would move to reconsider the vote by which Senate Joint Resolution No. 4 failed to pass the Senate.

On motion of Senator Reardon, the further call of the Senate was dispensed with.

At 2:00 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 8:00 o'clock p. m., this evening.

EVENING SESSION

The Senate was called to order at 8:00 o'clock p. m., by President Pro Tempore Reardon.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving reports of standing committees.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 360:

A majority of the Committee on Judiciary recommended that Senate Bill No. 360 do pass.

A minority of the Committee on Judiciary recommended that Senate Bill No. 360 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 18:

A part of the Committee on Labor and Labor Statistics recommended that Senate Bill No. 18 do pass.

A part of the Committee on Labor and Labor Statistics referred Senate Bill No. 18 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 335:

A part of the Committee on Education recommended that Senate Bill No. 335 do pass.

A part of the Committee on Education recommended that Senate Bill No. 335 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 184:

A majority of the Committee on Education recommended that Engrossed House Bill No. 184 do pass with certain amendments.

A minority of the Committee on Education recommended that Engrossed House Bill No. 184 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 372:

The Committee on Insurance recommended that Senate Bill No. 372 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 113:

The Committee on Municipal Corporations Other Than First Class recommended that House Bill No. 113 do pass.

The report of the committee, together with the bill, was placed on general file.

Senator Mills assumed the chair.

Senate Bill No. 469:

The Committee on Elections and Privileges recommended that Senate Bill No. 469 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 282:

The Committee on Commerce and Manufacturing recommended that Engrossed House Bill No. 282 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 322:

The Committee on Banks and Banking recommended that House Bill No. 322 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 284:

The Committee on Education recommended that Senate Bill No. 284 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 285:

The Committee on Education recommended that Senate Bill No. 285 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 323:

The Committee on Education recommended that Senate Bill No. 323 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 131:

The Committee on Judiciary recommended that House Bill No. 131 do pass.

The report of the committee, together with the bill, was placed on general file.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

The House has passed Substitute House Bill No. 83; also
Engrossed House Bill No. 409; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 23; also
House Bill No. 68; also
Engrossed House Bill No. 78; also
Engrossed House Bill No. 161; also
Substitute House Bill No. 226; also
House Bill No. 231; also
House Bill No. 315; also
Engrossed House Bill No. 351; also
House Bill No. 426; also

Senate Joint Resolution No. 18; also

The House has adopted Senate Concurrent Resolution No. 4; and the same are
herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 312; also
House Bill No. 368; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

GENERAL FILE

Senate Bill No. 363:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 363, entitled: "An Act providing for the storage and keep of any fish or game lawfully acquired; providing regulations therefor; prescribing penalties; and repealing all acts and parts of acts in conflict herewith.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. F. MCAULAY, *Chairman.*

We concur in this report: D. E. McMillan, J. M. Koontz, Ted F. Schroeder, J. W. Henderson, Clifford O. Moe, Robert T. McDonald.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 363, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—37.

Those voting nay were: Senator Morgan—1.

Absent or not voting: Senators Bloomer, Drumheller, Haddon, Keller, Klemgard, Koontz, McMillan and Wanamaker—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 264:

On motion of Senator Maxwell, Senate Bill No. 264 was ordered to be considered the first bill after Senate Bill No. 394 on the calendar.

Senate Bill No. 376:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 376, entitled: "An Act relating to irrigation districts comprising 200,000 or more acres of land within their boundaries and to elections in such districts called and held to vote on proposed contracts between the district and the United States or any agency thereof where such contracts include provisions in accordance with the Act of Congress of May 27, 1937 (50 Stat. 208)," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman.*

We concur in this report: A. M. Murfin, J. M. Koontz, Geo. F. McAulay, C. F. Stinson, Clifford O. Moe.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 376, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—35.

Absent or not voting: Senators Bloomer, Dawson, Drumheller, Haddon, Keller, Klemgard, Koontz, Maxwell, McMillan, Sieler and Todd—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving committee reports.

REPORT OF STANDING COMMITTEE

Senate Bill No. 407:

A majority of the Committee on Judiciary recommended that Senate Bill No. 407 do pass with certain amendments.

A minority of the Committee on Judiciary recommended that Senate Bill No. 407 do not pass.

The reports of the committee, together with the bill, were placed on general file.

GENERAL FILE

Senate Bill No. 391:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 391, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for testing laboratory site and equipment, including the purchase and improvement of land and the erection of buildings, including the necessary salaries and wages incident thereto, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. C. BLOOMER, *Vice Chairman.*

We concur in this report: Lulu D. Haddon, J. W. Henderson, Leroy L. Todd, J. P. Keller, Joe L. Keeler, Thomas Voyce, Herbert H. Sieler, Pearl A. Wanamaker, C. F. Stinson, Geo. F. McAulay, Howard Roup, J. M. Koontz.

On motion of Senator Murphy, the Senate resolved itself into a committee of the whole to consider Senate Bills Nos. 391, 392, 393, 394, 395 and 396.

The bills were considered in the committee of the whole, Senator Reardon in the chair, and reported back to the Senate with the recommendation that Senate Bills Nos. 391, 392, 393, 394 and 396 do pass, and that Senate Bill No. 395 as amended in the committee of the whole do pass.

On motion of Senator Seiler, the report of the committee was adopted.

Senator Keeler moved that the reading had in the committee of the whole be considered the third reading of the Senate Bill No. 391, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 391, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Haddon, Henderson, Holt, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Wanamaker—36.

Absent or not voting: Senators Duggan, Farquharson, Ferryman, Keeler, Klemgard, Koontz, McMillan, Moe, Morgan and Voyce—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 392:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 392, entitled: "An Act appropriating a certain sum from the motor vehicle fund for administration by the director of highways of federal funds allotted to the state, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. C. BLOOMER, *Vice Chairman.*

We concur in this report: Lulu D. Haddon, J. W. Henderson, Leroy L. Todd, J. P. Keller, Joe L. Keeler, J. M. Koontz, Herbert H. Sieler, Pearl A. Wanamaker, C. F. Stinson, Geo. F. McAulay, Howard Roup, Thomas Voyce.

Senator Murphy moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 392, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Absent or not voting: Senators Drumheller, Duggan, Farquharson, Keeler, Klemgard, Koontz, Maxwell, McMillan, Moe, Morgan and Reardon—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 393:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 393, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for capital outlay, including the purchase and improvement of lands and erection of building, including the necessary salaries and wages incident thereto, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. C. BLOOMER, *Vice Chairman.*

We concur in this report: Lulu D. Haddon, J. W. Henderson, Leroy L. Todd, J. P. Keller, Joe L. Keeler, Thomas Voyce, Herbert H. Sieler, Pearl A. Wanamaker, C. F. Stinson, Geo. F. McAulay, Howard Roup, J. M. Koontz.

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 393, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Absent or not voting: Senators Drumheller, Duggan, Keeler, Klemgard, Koontz, Maxwell, McMillan, Moe, Morgan and Reardon—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 394:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 394, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for salaries, operations, administration, construction, reconstruction, location, alteration, repair, improvement and maintenance of secondary state highways, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. C. BLOOMER, *Vice Chairman*.

We concur in this report: Lulu D. Haddon, J. W. Henderson, Leroy L. Todd, J. P. Keller, Joe L. Keeler, J. M. Koontz, Herbert H. Sieler, Pearl A. Wanamaker, C. F. Stinson, Geo. F. McAulay, Howard Roup, Thomas Voyce.

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 394, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Absent or not voting: Senators Dawson, Drumheller, Duggan, Keeler, Klemgard, Koontz, Maxwell, McMillan, Moe, Morgan and Reardon—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 395:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 395, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for location, right of way, engineering, improvement, construction, reconstruction and maintenance of county roads and city streets, and for the director of highways, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 10 of the original bill, the same being section 1, line 3 of the printed bill by inserting after the word "subdivisions" and before the letter "(d)" the letter "(c)".

T. C. BLOOMER, *Vice Chairman*.

We concur in this report: Lulu D. Haddon, J. W. Henderson, Leroy L. Todd, Joe L. Keeler, Thomas Voyce, Herbert H. Sieler, Pearl A. Wanamaker, C. F. Stinson, Geo. F. McAulay, Howard Roup, J. M. Koontz.

On motion of Senator Wanamaker, the committee amendment read in the committee of the whole was adopted.

Senator Keller, moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 395, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Kyle, Malstrom, McAulay, McDonald, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—33.

Absent or not voting: Senators Dawson, Drumheller, Duggan, Edwards, Keeler, Klemgard, Koontz, Lovejoy, Maxwell, McMillan, Moe, Morgan and Reardon—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 396:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 396, entitled: "An Act reappropriating a certain sum from the motor vehicle fund for location, right of way, engineering, improvement, construction and reconstruction of primary state highways, including the construction of bridges to form a part of primary state highways and declaring that this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. T. C. BLOOMER, *Vice Chairman*.

We concur in this report: Lulu D. Haddon, J. W. Henderson, Leroy L. Todd, J. P. Keller, Joe L. Keeler, J. M. Koontz, Geo. F. McAulay, Pearl A. Wanamaker, C. F. Stinson, Howard Roup, Thomas Voyce.

Senator Keeler moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 396, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—34.

Absent or not voting: Senators Dawson, Drumheller, Duggan, Edwards, Keeler, Klemgard, Koontz, Maxwell, McMillan, Moe, Morgan and Reardon—12.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 264:

Senator Kerstetter moved that Senate Bill No. 264 be placed at the foot of the calendar.

Senator Murfin moved that Senate Bill No. 264 be indefinitely postponed.

On motion of Senator Voyce the motion by Senator Murfin was laid on the table.

Senator Murphy moved that Senate Bill No. 264 be made a special order of business at 10:00 o'clock p. m., today.

The motion was declared out of order.

The motion by Senator Kerstetter carried.

President Meyers assumed the chair.

Senate Bill No. 93:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate Bill No. 93, entitled: "An Act relating to food and shellfish, defining the powers of the director of fisheries in relation thereto, amending sections 108 and 110 of chapter 7, Laws of 1921 and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, line 15, page 1, of the original bill, the same being section 1, line 6, page 1 of the printed bill, by striking the period (.) after the word "thereof", inserting in lieu thereof a colon (:) and adding the following words: "Provided, however, That nothing herein shall apply to privately owned or leased oyster lands or to the oysters grown thereon."

Amend Sec. 2, line 2, page 2 of the original bill, the same being Sec. 2, line 19, page 1 of the printed bill, by striking the period (.) after the word "same", inserting in lieu thereof a colon (:) and adding the following words: "Provided, however, That nothing herein shall apply to privately owned or leased oyster lands or to the oysters grown thereon: *Provided, further*, That notice of intention to make new rules and regulation relative to privately owned or leased clams and clam lands only shall be published in three (3) issues of a newspaper of general circulation in the county affected by such regulation and posted in three (3) places on the area affected, for a period of not less than six (6) months prior to the effective date thereof. Interested persons may require a hearing to determine whether such change of regulation furthers the purpose of this act. Testimony may be offered and the Director shall have power to subpoena witnesses and administer oaths at the hearing. Any adverse ruling may be appealed from to the superior court of the county in which the rule would become effective, and tried de novo: *Provided, further*, That all hearings or appeals therefrom must be concluded within six (6) months from the date of such publishing and posting."

A. E. EDWARDS, *Chairman.*

We concur in this report: Joe L. Keeler, Harold P. Troy, T. C. Bloomer, Judson W. Shorett.

On motion of Senator Edwards, the report of the committee was received and the bill was read the third time.

On motion of Senator Troy, the committee amendment to section 1, line 15, page 1, of the original bill was adopted.

Senator Troy moved the adoption of the committee amendment to Sec. 2, line 2, page 2 of the original bill.

Senator Lovejoy moved the adoption of the following amendment to the committee amendment:

Amend line 16 of the committee amendment, after words "owned or leased oyster" insert words "or clam" and at the end of the same line, after the word "oysters" insert the words, "or clams".

On motion of Senator Kyle, the amendment to the amendment was laid on the table.

Senator Todd moved the adoption of the following amendment to the committee amendment:

Amend section 2, line 9 of the amendment by striking words "privately owned or leased".

On motion of Senator Keeler, the amendment to the committee amendment was laid on the table.

Senators Mills, McAulay and Keeler demanded the previous question.

The previous question was ordered.

On motion of Senator Keeler, the committee amendment to section 2 was adopted.

On motion of Senator Morgan, the Senate referred back to section 1 for the purpose of receiving an amendment.

Senator Morgan moved the adoption of the following amendment:

Amend section 1, line 3 of the printed bill, by inserting after the word "tidelands" the words: "in the Puget Sound area of the State of Washington".

The motion by Senator Morgan lost.

The Secretary called the roll on the final passage of Senate Bill No. 93, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Troy, Voyce and Wanamaker—32.

Those voting nay were: Senators Atkinson, Morgan, Murphy, Thomas and Todd—5.

Absent or not voting: Senators Bloomer, Dawson, Drumheller, Duggan, Koontz, Maxwell, Moe, Reardon and Stinson—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Sieler gave notice that at the proper time tomorrow he would move for a reconsideration of the vote by which Senate Bill No. 93 passed the Senate.

Senator Voyce assumed the chair.

Senate Bill No. 166:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 166, entitled: "An Act relating to taxation of property, and amending section 52 of chapter 130 of the Laws of the Extraordinary Session of 1925.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 30, of the original bill, the same being section 1, line 20, of the printed bill, after the word "at" strike the following "a capitalization rate of six per cent. shall be a factor in determining the true cash value." and insert in lieu thereof the following: "the current capitalization rate; present value; depreciation; appreciation; obsolescence; salvage value; earnings; present prospects; and the efficiency of management shall be factors in determining the true and fair cash value."

A. M. MURFIN, *Chairman.*

We concur in this report: James T. Sullivan, Alfred E. Holt, F. L. Morgan, Joseph D. Roberts, N. P. Atkinson, W. R. Orndorff, Ralph Metcalf.

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 166, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Kebel Murphy, Harold P. Troy.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

On motion of Senator Holt, the committee amendment was adopted.

Senators Reardon, McDonald and Drumheller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 166 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Drumheller, Edwards, Ferryman, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Metcalf, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Todd and Voyce—24.

Those voting nay were: Senators Atkinson, Copeland, Haddon, Henderson, Klemgard, Malstrom, McAulay, McDonald, Stinson, Thomas, Troy and Wana-maker—12.

Absent or not voting: Senators Bloomer, Dawson, Duggan, Farquharson, Keller, Maxwell, McMillan, Mills, Murphy and Sullivan—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 436:

The Secretary read:

REPORT OF STANDING COMMITTEESenate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 436, entitled: "An Act relating to the state game commission; providing the number, qualifications and method of selection thereof; prescribing terms and residences and amending section 8 of chapter 3 of the Laws of 1933 (section 5855-2 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. F. MCAULAY, *Chairman.*

We concur in this report: Ted F. Schroeder, J. W. Henderson, Robert T. McDonald, D. E. McMillan.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

On motion of Senator Kyle, the following amendment was adopted.

Amend section 1, line 18, page 1 of the original bill, same being section 1, line 9, page 1 of the printed bill, after the word "Mountains" and before the word "at" strike the comma (,) and insert in lieu thereof the word "and".

Senators Wanamaker, Todd and McMillan demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 436, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Bloomer, Duggan, Kerstetter, Koontz, Mills and Reardon—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 289:

The Secretary read:

REPORT OF STANDING COMMITTEESenate Chamber,
Olympia, Wash., February 10, 1939.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate Bill No. 289, entitled: "An Act dedicating to the City of Seattle certain lands lying within Section 16, Township 25 North, Range 4 East, W. M., for street and/or boulevard purposes.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MARY FARQUHARSON, *Chairman.*

We concur in this report: Kebel Murphy, Alfred E. Holt, Robert T. McDonald, W. R. Orndorff, Lulu D. Haddon, James T. Sullivan, Kathryn E. Malstrom, Gordon Klemgard.

On motion of Senator Farquharson, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 289, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Voyce and Wanamaker—37.

Absent or not voting: Senators Bloomer, Dawson, Duggan, Kerstetter, Mills, Reardon, Roberts, Stinson and Troy—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 264:

On motion of Senator Maxwell, Senate Bill No. 264 was made a special order of business for 11:30 o'clock a. m., tomorrow.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bills Nos. 166 and 395, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Joseph D. Roberts, Harold P. Troy, Robert T. McDonald, Paul G. Thomas.

The report was ordered received.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Concurrent Resolution No. 4 and Senate Joint Resolution No. 18, have compared same with the original resolutions and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: A. M. Murfin, Mary Farquharson, Monty Percival, W. C. Dawson.

The report was ordered received.

The President signed Senate Concurrent Resolution No. 4, also Senate Joint Resolution No. 18.

At 11:32 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTY-SECOND DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Wednesday, March 1, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senator Schroeder.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

On motion of Senator Bloomer, the reading of the journal of the previous day was dispensed with and it was approved.

RECONSIDERATION

Senate Bill No. 93:

On motion of Senator Sieler, the Senate reconsidered the vote by which Senate Bill No. 93 passed the Senate.

On motion of Senator Sieler, the following amendment was adopted:

Amend Sec. 2, line 18, page 1 of the printed bill by inserting a comma (.) after the word "means" and add the following: "not now prohibited by law,".

Senators Kyle, Drumheller and Keeler demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 93, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Voyce and Wanamaker—37.

Those voting nay were: Senators Bloomer, Morgan, Murphy, Todd—4.

Absent or not voting: Senators Duggan, Koontz, McAulay, Schroeder and Troy—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sieler, the rules were suspended and Senate Bill No. 93 was ordered engrossed and immediately transmitted to the House.

RECONSIDERATION

Senate Joint Resolution No. 4:

Senator Sieler moved that the Senate reconsider the vote by which Senate Joint Resolution No. 4 failed to pass the Senate.

Senator Kyle moved that the motion by Senator Sieler be laid on the table.

The motion by Senator Kyle failed to carry.

Senators Maxwell, Orndorff and Murfin demanded the previous question.

The previous question was ordered.

The motion by Senator Sieler carried.

Senator Sieler moved that Senate Joint Resolution No. 4 be re-referred to the Committee on Revenue and Taxation.

Senators Drumheller, Maxwell and Klemgard demanded the previous question.

The previous question was ordered.

The motion by Senator Sieler carried.

RECONSIDERATION

Senate Bill No. 322:

On motion of Senator Kerstetter the Senate reconsidered the vote by which Senate Bill No. 322 failed to pass the Senate.

Senators Maxwell, Orndorff and Drumheller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 322, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Ferryman, Holt, Keeler, Kerstetter, Lovejoy, Malstrom, McMillan, Metcalf, Moe, Morgan, Murfin, Percival, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—24.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Haddon, Henderson, Keller, Klemgard, Koontz, Kyle, Maxwell, McDonald, Mills, Murphy, Orndorff, Reardon, Roberts, Roup—18.

Absent or not voting: Senators Farquharson, McAulay, Schroeder and Wanamaker—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Kerstetter, the rules were suspended and Senate Bill No. 322 was ordered engrossed and immediately transmitted to the House.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 436, have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Joseph D. Roberts, Paul G. Thomas.

The report was ordered received.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 109:

The Committee on Fisheries recommended that Senate Bill No. 109 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Joint Memorial No. 13:

The Committee on Memorials recommended that Senate Joint Memorial No. 13 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 434:

The Committee on Revenue and Taxation recommended that Senate Bill No. 434 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 332:

The Committee on Counties and County Boundaries recommended that Senate Bill No. 332 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 212:

A part of the Committee on Labor and Labor Statistics recommended that Senate Bill No. 212 do pass.

A part of the Committee on Labor and Labor Statistics recommended that Senate Bill No. 212 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 40; also Engrossed House Bill No. 90; also House Bill No. 96; also Engrossed House Bill No. 120; also Engrossed House Bill No. 128; also Substitute House Bill No. 156; also Engrossed House Bill No. 172; also House Bill No. 385; also House Bill No. 407; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 94; also House Bill No. 111; also Engrossed House Bill No. 190; also Engrossed House Bill No. 191; also House Bill No. 247; also House Bill No. 248; also House Bill No. 249; also House Bill No. 250; also Engrossed House Bill No. 253; also Engrossed House Bill No. 432; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Engrossed House Bill No. 23, by Representative Underwood, entitled: "An Act providing for the recovery of damages by persons bitten by dogs and creating a liability of the owner of such dog."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 68, by Representative Vane, entitled: "An Act relating to probate of estates and authorizing creditors of deceased persons to file a demand for notice of proceedings by executors or administrators, and amending section 64, chapter 156, Session Laws of 1917 (section 1434, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 78, by Representative Hurley, entitled: "An Act providing educational opportunities for the children of soldiers, sailors and marines who were killed in action or died during the World War or as a result of such service, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

Engrossed House Bill No. 161, by Representative Martin, entitled: "An Act relating to the employment of aliens in public offices or upon public works, and prescribing penalties."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Substitute House Bill No. 226, by Committee on Horticulture, entitled: "An Act relating to deciduous tree fruits and hops; regulating the sale or other disposition thereof; and prescribing penalties."

The bill was read the first time, and on motion of Senator Mills the rules were suspended, the bill was read the second time by title, and referred to the Committee on Horticulture.

House Bill No. 231, by Representative Martin (By Departmental Request), entitled: "An Act relating to wildlife and game; assenting to the purposes and provisions of that certain act of congress entitled: 'An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes,' approved September 2, 1937, and empowering and directing the state department of game to establish and conduct wildlife-restoration projects; and providing that no funds accruing to the State of Washington from hunting license fees shall be diverted for any other purpose than the protection, propagation and restoration of wildlife and game and the expenses of administration of the state department of game."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, and referred to the Committee on Game and Game Fish.

House Bill No. 315, by Representative Sandegren, entitled: "An Act relating to surveys; providing for a public record thereof in certain cases; providing rules for the making and preservation thereof; and providing penalties."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 351, by Representatives Martin and Egbert, entitled: "An Act relating to the department of agriculture; providing for the regulation and registration of concentrated commercial feeding stuffs, fertilizers, and livestock remedies, and the labeling and advertising thereof, and for other purposes; providing for the licensing and regulation of retail dealers in concentrated commercial feeding stuffs; providing penalties; repealing chapter 37 of the Laws of 1937 (section 7016 to section 7019-22, inclusive, of Remington's Revised Statutes; section 89-21 to 89-45, inclusive, of Pierce's Code)."

The bill was read the first time, and on motion of Senator McMillan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Agriculture.

House Bill No. 426, by Judiciary Committee, entitled: "An Act providing for actions to test the validity of bonds to be issued by counties, cities, school districts, or other municipal corporations or taxing districts."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Substitute House Bill No. 83, by Committee on Dairy and Livestock, entitled: "An Act relating to the department of agriculture; providing for the protection of the public health and providing for the inspection, marking and marketing of animal carcasses and meats intended for human consumption; regulating and licensing the preparation, handling, marking, marketing and sale of such meats; providing for the sanitation of all abattoir and dry rendering plants; providing revenues to administer the act; providing penalties; authorizing the director of agriculture to make rules and regulations and to appoint employees to carry out the provisions of this act; providing for a Washington state meat seal and its use; and making an appropriation."

The bill was read the first time, and on motion of Senator Todd the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Livestock.

Engrossed House Bill No. 409, by Representatives Pearsall, Twidwell and Mackie, entitled: "An Act regulating and licensing floating reduction plants for the processing of pilchards, sardine fish, tuna fish and herring and other deep sea fish, and declaring an emergency."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, and referred to the Committee on Fisheries.

House Bill No. 312, by Representative Eddy, entitled: "An Act relating to the State Law Librarian; prescribing his duties; and amending section 1 of chapter 32 of the Laws of 1907 (section 8209 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 368, by Representative Sylvester, entitled: "An Act relating to fraternal benefit societies; permitting such societies to admit to beneficiary membership certain persons without medical examination; and amending section 212 of chapter 49 of the Laws of 1911 (section 7265 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McDonald, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Insurance.

Engrossed House Bill No. 40, by Representatives Sherman, Pearson and Savage, entitled: "An Act relating to teachers' institutes, providing for optional attendance thereat by teachers, and amending section 4886 of Remington's Revised Statutes and repealing section 4889 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

Engrossed House Bill No. 90, by Representative Reilly (E. J.), entitled: "An Act enabling the creation and establishment of retiring and pension systems for superannuated and disabled officers and employees of cities of the first class; providing for the payment of retirement allowances; prescribing the conditions on which said allowances shall be paid; fixing rates of contribution and providing for the adjustment thereof; and providing for the administration of said systems."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, and referred to the Committee on Cities of the First Class.

Engrossed House Bill No. 94, by Representatives Austin and Armstrong, entitled: "An Act relating to compensation of bailiffs in superior courts and amending section 10973 of Remington's Revised Statutes and repealing section 10974 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Duggan, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 96, by Representative Swegle, entitled: "An Act to define, license and regulate the business of making loans on motor vehicles, at a rate of interest, consideration or charge in excess of twelve (12) per centum per annum; to prescribe the maximum rate which may be charged, contracted for or received and the maximum amount which may be loaned to any one person at such rate; to provide for the administration and enforcement of this act and penalties for violation thereof."

The bill was read the first time, and on motion of Senator Troy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Financial Institutions Other Than Banks.

House Bill No. 111, by Representatives Twidwell, Pearsall and Mackie, entitled: "An Act relating to elections of cities of the third and fourth class; providing for the consolidation of precincts therein in city elections, the appointment of election officers at such elections, and the holding of such elections."

The bill was read the first time, and on motion of Senator Stinson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Municipal Corporations Other Than First Class.

Engrossed House Bill No. 120, by Representative Butler, entitled: "An Act relating to drainage, diking, and sewerage improvement districts, amending section 2 of chapter 125 of the Laws of 1933, and adding thereto two (2) new sections to be known as sections 2a and 2b, and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 128, by Representative Jackson, entitled: "An Act relating to labor; declaring the rebating of wages, underpayment of agreed wages and certain deductions from wages to be unlawful; providing penalties and providing a civil remedy."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Substitute House Bill No. 156, by Committee on Appropriations, entitled: "An Act relating to the Pacific-Northwest Centennial Exposition to be held in Seattle in 1942; providing for a state exhibit therein, for the construction of state buildings therefor and creating a commission to have charge and control thereof and defining its powers and duties; and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Shorett the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

Engrossed House Bill No. 172, by Committee on Rules and Order (By Executive Request), entitled: "An Act relating to intoxicating liquors; providing for the control and regulation of the traffic therein; prescribing licenses and license fees; providing for the abatement of certain nuisances; providing for certain officers and defining their powers and duties; defining crimes and providing penalties therefor; and amending chapter 62, Laws of 1933, Extraordinary Session, as amended by chapters 13, 80, 158 and 174, Laws of 1935 and chapters 62 and 217, Laws of 1937, the same being sections 7306-1 to 7306-97, both inclusive, Remington's Revised Statutes; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Liquor Control.

Engrossed House Bill No. 190, by Committee on Rules and Order, entitled: "An Act relating to the medical, surgical and hospital treatment of workmen subject to the industrial insurance act by medical aid contracts, prescribing the method of execution of such contracts and fixing the rates of contribu-

tion to the medical aid fund by the contractor and workman and amending section 7724 of Remington's Revised Statutes and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Kerstetter the rules were suspended, the bill was read the second time by title, and referred to the Committee on Industrial Insurance.

Engrossed House Bill No. 191, by Committee on Rules and Order, entitled: "An Act relating to the classification of and rates of contribution to the accident, medical aid and occupational disease funds by employers engaged in extrahazardous employment or under the provision of elective adoption, and amending section 4 of chapter 74 of the Laws of 1911, as amended by section 1 of chapter 89 of the Laws of 1937 (section 7676 of Remington's Revised Statutes); and declaring that this act take effect immediately."

The bill was read the first time, and on motion of Senator Kerstetter the rules were suspended, the bill was read the second time by title, and referred to the Committee on Industrial Insurance.

House Bill No. 247, by Representative Reilly (By Departmental Request), entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the college current fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 248, by Representative Reilly (By Departmental Request), entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the current state school suspense fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 249, by Representative Reilly (By Departmental Request), entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the state athletic fund, and defining the duties and powers of the state treasurer in connection therewith; repealing section 21 of chapter 184 of the Laws of 1933, being section 8276-21, Remington's Revised Statutes; and declaring that this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Duggan, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 250, by Representative Reilly (By Departmental Request), entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the veteran's compensation bond retirement fund, and defining the duties and powers of the state treasurer in connection therewith."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 253, by Representative Reilly (By Departmental Request), entitled: "An Act relating to the oyster reserve fund; transferring certain moneys from the oyster reserve fund to the fisheries fund and abolishing the oyster reserve fund; and amending section 105 of chapter 31 of the Laws of 1915, (being section 5759, Remington's Revised Statutes); and declaring that this act shall take effect April 1, 1939."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 385, by Representative Riley, entitled: "An Act relating to insurance and amending section 1 of chapter 120 of the Laws of 1937 (section 7054-1 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, and referred to the Committee on Insurance.

House Bill No. 407, by Representative Reilly, entitled: "An Act relating to insurance companies; providing requirements for doing business in this state; requiring filing of rating schedules; and amending section 1 of chapter 88 of the Laws of 1935 (section 7118 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, and referred to the Committee on Insurance.

Engrossed House Bill No. 432, by Committee on Parks and Playgrounds, entitled: "An Act relating to disposition of money received from vehicle operator's licenses and amending section 71, chapter 188, of the Laws of 1937."

The bill was read the first time, and on motion of Senator Roberts, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Parks and Playgrounds.

GENERAL FILE

Senate Bill No. 407:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 407, entitled: "An Act relating to recall elections, and amending section 9 of chapter 146, Laws of 1913 (section 5358 of Remington's Revised Statutes), and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend the bill by striking everything after the enacting clause and inserting in lieu thereof the following:

Section 1. Chapter 146 of the Laws of 1913 is hereby amended by adding thereto a new section following section 3 (section 5352 Remington's Revised Statutes) to be known as section 3a, reading as follows:

"Section 3a. After the charge shall have been filed in the appropriate office, and before a ballot synopsis shall be prepared by the officer having the duty of preparing the same under the preceding section of this chapter, the person, committee, or organization filing said charges, if it desires to press the same under the provisions of chapter 146,

of the Laws of 1913, shall be required to commence and file a civil action for a declaratory judgment in the superior court of either the county in which the office is located, or in which the officer sought to be recalled resides, alleging the filing of the charge in the appropriate public office, setting out in the complaint the charge so filed, and praying the court to declare whether the charge so filed is legally sufficient upon its face, in whole or in part, under the Constitution and statutes of this state relating to recall of elective public officers, and whether there is any substantial evidence in support of said charge. The officer against whom such charge has been filed and the officer with whom such charge has been filed shall be named as defendants in such civil action. Civil process in the form of the usual twenty days summons in a civil action shall be served by the sheriff of the county in which the action is brought upon each of the said defendants, together with a copy of the complaint. The said defendants, or either of them, within the time specified in said summons, may file an answer or demurrer to said complaint; and thereafter, upon the issues duly made and duly brought on for hearing after notice in the usual manner, the court shall determine the legal sufficiency of the charge upon its face and whether there is any substantial evidence in support of said charge and render judgment accordingly. For the purpose of determining the legal sufficiency of the charge, and the legal sufficiency of the evidence in support thereof, the cause shall be tried at such hearing in the same manner as any other civil action upon oral and other legal evidence, with full right of cross-examination and production of witnesses. To the extent that the court shall hold said charge or any portion thereof legally sufficient and supported by substantial evidence the judgment shall direct the officer with whom said charge has been filed under the preceding section hereof to formulate a ballot synopsis as in said section provided. If neither defendant named in said civil action shall answer or demur within the time specified in said summons the court shall nevertheless, upon being advised in such manner as it shall deem proper, determine the legal sufficiency of the charges and of the evidence and enter judgment as herein-above provided. Any judgment under this section may be reviewed in the supreme court on appeal or certiorari, at the election of the aggrieved party or parties, in the same manner as in other civil cases, and the superior court shall have power to stay the execution of its judgment upon such review upon such security as to the court may seem proper. This section shall apply to any recall proceeding hereafter commenced; and in any such proceeding now pending the legal sufficiency of the charge and of the evidence shall first be determined in the manner herein provided before the same shall proceed further.

Sec. 2. This act is necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions and shall take effect immediately.

Amend the title to read as follows:

"An Act relating to the recall of elective public officers and to carry out the provisions and facilitate the operation and effect of sections 33 and 34 of article 1 of the state Constitution and amending chapter 146 of the Laws of 1913 by adding thereto a new section following section 3 (section 5352 Remington's Revised Statutes), to be known as section 3a, and making said section applicable to any recall proceeding now pending or hereafter initiated, and declaring an emergency."

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Herbert H. Sieler, Ralph Metcalf, Albert D. Rosellini, Clifford O. Moe, Harold P. Troy, Earl Maxwell.

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 407, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: F. L. Morgan, H. I. Kyle.

On motion of Senator Duggan, the reports of the committee were received and the bill was read the third time.

Senator Morgan moved that Senate Bill No. 407 be made a special order of business for 11:00 o'clock a. m., tomorrow.

On motion of Senator Drumheller, the motion was laid on the table.

Senator Haddon assumed the chair.

On motion of Senator Duggan, the committee amendments were adopted.

President Meyers assumed the chair.

SPECIAL ORDER OF BUSINESS

On motion of Senator Drumheller, confirmation of appointments which was made a special order of business for 11:00 o'clock a. m. today, was deferred until after the consideration of Senate Bill No. 407.

GENERAL FILE

Senate Bill No. 407:

Senator Morgan moved that the vote by which the committee amendments to Senate Bill No. 407 were adopted be reconsidered by the Senate.

On motion of Senator Drumheller, the motion was laid on the table.

On motion of Senator Reardon, Senator Schroeder was excused for the day.

Senators Murfin, Koontz and Dawson demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present except Senator Schroeder, who was excused.

On motion of Senator Reardon, the Senate proceeded under the call of the Senate.

Senator Roberts announced that he had a personal interest, and requested that he be excused from voting.

On motion of Senator Sieler, Senator Roberts was excused from voting.

The Secretary called the roll on the final passage of Senate Bill No. 407, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Rosellini, Roup, Shorett, Sieler, Stinson, Troy and Wanamaker—31.

Those voting nay were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Reardon, Sullivan, Thomas, Todd and Voyce—13.

Absent or not voting: Senators Roberts and Schroeder—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Sieler, the rules were suspended and Senate Bill No. 407 was ordered engrossed and immediately transmitted to the House.

CONFIRMATION OF APPOINTMENTS BY THE GOVERNOR

SPECIAL ORDER

Senator Sieler moved that the Committee on Educational Institutions be discharged from their duties in so far as the appointment of George H. Gannon, Arthur W. Davis and Ben Perham were concerned.

On motion of Senator Kyle, the motion by Senator Sieler was laid on the table.

Senator Murphy moved that the appointment of T. S. Hedges to the State Tax Commission be referred to the Committee on Revenue and Taxation.

The motion by Senator Murphy failed to carry.

On motion of Senator Kyle, the Senate proceeded to the consideration of the appointment of T. S. Hedges as a member of the State Tax Commission.

The Secretary called the roll and the appointment of T. S. Hedges to the State Tax Commission was confirmed by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—45.

Absent or not voting: Senator Schroeder—1.

Senator Reardon moved that the appointment of W. D. Kirkpatrick to the Board of Trustees of the Western Washington College of Education be confirmed.

Senator Farquharson moved that the appointment of W. D. Kirkpatrick be referred to the Committee on Educational Institutions.

The motion by Senator Farquharson carried.

Senator Farquharson moved that the appointment of Verne Branigin to the Board of Trustees of the Western Washington College of Education be referred to the Committee on Educational Institutions.

The motion by Senator Farquharson carried.

On motion of Senator Kyle, the Senate proceeded with the consideration of the appointment of Charles F. Ernst as Director of Social Security.

The Secretary called the roll and the appointment of Charles F. Ernst as Director of Social Security was confirmed by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Roberts, Roup, Shorett, Sieler, Stinson, Troy and Wanamaker—33.

Those voting nay were: Senators Atkinson, Farquharson, Kerstetter, Kyle, Malstrom, Murphy, Reardon, Rosellini, Sullivan, Thomas, Todd and Voyce—12.

Absent or not voting: Senator Schroeder—1.

On motion of Senator Reardon, the call of the Senate was dispensed with.

On motion of Senator Lovejoy, the Senate proceeded with consideration of the appointment of John Brooke Fink as Director of Conservation and Development.

The Secretary called the roll, and the appointment of John Brooke Fink as Director of Conservation and Development was confirmed by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson,

Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Those voting nay were: Senator Reardon—1.

Absent or not voting: Senator Schroeder—1.

Senator Reardon moved that the appointment of Jack E. Bates as Commissioner of Unemployment Compensation and Placement be confirmed.

The Secretary called the roll and the appointment of Jack E. Bates as Commissioner of Unemployment Compensation and Placement was confirmed by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Atkinson, Dawson, Keeler, Moe, Schroeder and Sieler—6.

Senator Reardon moved that the appointment of W. I. Dailey to the Board of Prison Terms and Paroles be confirmed.

The Secretary called the roll and the appointment of W. I. Dailey to the Board of Prison Terms and Paroles was confirmed by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Stinson, Thomas, Todd and Wanamaker—35.

Those voting nay were: Senator Keller—1.

Absent or not voting: Senators Drumheller, Holt, Keeler, Metcalf, Murfin, Roup, Schroeder, Sullivan, Troy and Voyce—10.

Senator Maxwell gave notice that at the proper time tomorrow he would move for a reconsideration of the vote by which the appointment of Chas. F. Ernst as Director of Social Security was confirmed.

Senator Lovejoy moved that the appointment of William J. Wilkins to the Board of Prison Terms and Paroles be confirmed.

The Secretary called the roll and the appointment of William J. Wilkins to the Board of Prison Terms and Paroles was confirmed by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Orndorff, Percival, Reardon, Rosellini, Shorett, Sieler, Stinson, Thomas, Todd and Wanamaker—35.

Absent or not voting: Senators Atkinson, Drumheller, McMillan, Murfin, Murphy, Roberts, Roup, Schroeder, Sullivan, Troy and Voyce—11.

At 12:45 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 1:45 o'clock p. m.

AFTERNOON SESSION

The Senate was called to order by President Meyers at 1:45 o'clock p. m.

The Senate referred back to the second order of business for the purpose of receiving committee reports.

REPORTS OF STANDING COMMITTEES**Senate Bill No. 226:**

The Committee on Judiciary recommended that Senate Bill No. 226 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 126:

The Committee on Judiciary recommended that Engrossed House Bill No. 126 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 358:

The Committee on Judiciary recommended that Senate Bill No. 358 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 386:

The Committee on Judiciary recommended that Senate Bill No. 386 do pass. The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 62:

A majority of the Committee on Judiciary recommended that Senate Bill No. 62 do pass.

A minority of the Committee on Judiciary recommended that Senate Bill No. 62 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 349:

The Committee on Judiciary recommended that Senate Bill No. 349 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 333:

The Committee on Judiciary recommended that Senate Bill No. 333 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 136:

The Committee on Judiciary recommended that Senate Bill No. 136 be referred to the Committee on Social Security.

On motion of Senator Murfin, Senate Bill No. 136 was re-referred to the Committee on Social Security.

GENERAL FILE

Engrossed House Bill No. 323:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Engrossed House Bill No. 323, entitled: "An Act relating to municipally owned street railway or surface transportation systems in cities having more than three hundred thousand population; providing for the borrowing of money from the Reconstruction Finance Corporation or any other agency of the United States Government for street railway and surface transportation purposes in such cities, and for the issuance of bonds payable from the revenues of such systems to evidence such loans, the proceeds thereof to be used for the purpose of purchasing and acquiring equipment and extensions, repairs, improvements and betterments to, and the operation of, said systems, and to refund outstanding indebtedness payable from the revenues of said systems, to validate all such outstanding indebtedness and to create transportation commissions in such cities, and to prescribe the powers and duties thereof, and to repeal all laws or parts of laws and the provisions of any city charter in conflict herewith in so far as such conflict exists," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 5, subsection (g), page 10, line 22 of the engrossed bill, the same being section 5, subsection (g), page 3, line 2 of the mimeographed house amendment by striking the word "revenues" and inserting in lieu thereof the words "revenue bonds and warrants".

ALFRED E. HOLT, *Chairman*.

We concur in this report: T. C. Bloomer, W. R. Orndorff, G. B. Kerstetter, Joseph D. Roberts, Robert T. McDonald, Paul G. Thomas.

On motion of Senator Holt, the report of the committee was received and the bill was read the third time.

Senator Atkinson moved the adoption of the following amendment:

Amend section 1, line 10 of the printed bill, same being line 24 of the original bill, after the words "purchasing of" and before the word "trolley", insert the words "street-cars,".

Senators Holt, Murfin and McDonald demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present.

Senator Kyle assumed the chair.

Senator Murphy moved that the Senate proceed under the call of the Senate.

President Meyers assumed the chair.

On motion of Senator Keeler, the call of the Senate was dispensed with.

On motion of Senator Drumheller, the amendment offered by Senator Atkinson was laid on the table.

On motion of Senator Holt, the following amendments were adopted:

Amend Sec. 5, subsection (g), line 7, page 10 of the engrossed bill, the same being Sec. 5, subsection (g) line 44, page 2 of the mimeographed amendment to the printed bill by adding the letter "s" to the word "covenant".

Amend Sec. 5, subsection (g), line 12, page 10 of the engrossed bill, the same being Sec. 5, subsection (g) line 49, page 2 of the mimeographed amendment to the printed bill by adding the letter "s" to the word "covenant".

Amend Sec. 5, line 4, page 8 of the engrossed bill, the same being line 18, page 1 of the mimeographed amendment to the printed bill by striking the semi-colon (;) and inserting the following: "or other governing body of such city;".

Senators Drumheller, Bloomer and McDonald demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 323, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—38.

Those voting nay were: Senators Keller and Murphy—2.

Absent or not voting: Senators Duggan, Klemgard, Reardon, Roberts, Schroeder and Wanamaker—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Holt, the rules were suspended and Engrossed House Bill No. 323 was ordered immediately transmitted to the House.

EXPLANATION OF VOTE

By Senator Roberts:

The reason I did not vote on House Bill No. 323: My attorney called me from Seattle regarding a very important matter and I had to be at the telephone during the roll call. However, I led the fight for the measure on the floor of the Senate and in the Committee on Cities of the First Class.

Senate Bill No. 264:

On motion of Senator Maxwell, Senate Bill No. 264 was referred to the Committee on Claims and Auditing.

Senator Roberts assumed the chair.

Engrossed House Bill No. 189:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Dairy and Livestock, to whom was referred Engrossed House Bill No. 189, entitled: "An Act relating to the dairy industry; declaring the public policy of this state to promote the expansion of the dairy industry by promoting the increased use of dairy products, by providing for research and publicity advertising and sales promotion campaign to increase the consumption of Washington dairy products; levying an assessment on dairy products and providing for its collection; creating a dairy products commission, constituted with state authority and vesting in it the administration of this act; providing for the powers, duties and authority of said commission; providing penalties for the violation of this act; providing for the public

welfare; and providing that this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend Sec. 2, subsection (e), page 3, line 9 of the engrossed bill, the same being Sec. 2, subsection (e), line 24 of the printed bill, after the word "buys" and before the word "sells" by striking the word "or" and inserting in lieu thereof the word "and".

Amend Sec. 12, page 8, line 10 of the engrossed bill, the same being Sec. 12, page 5, line 16 of the printed bill after the period (.) by striking the following: "Otherwise the person, transportation company, carrier or conveyer must make an advance charge of the amount of assessment in this act provided and the assessment so collected paid to the treasurer of the commission to the credit of the dairy products commission fund, as provided in section 9 of this act."

LEROY L. TODD, *Chairman.*

We concur in this report: J. M. Koontz, Herbert H. Sieler, Monty Percival, Chapin A. Mills.

On motion of Senator Todd, the report of the committee was received and the bill was read the third time.

On motion of Senator Todd, the committee amendments were adopted.

On motion of Senator Kyle, the following amendment was adopted:

Amend Sec. 20 by striking the entire section.

On motion of Senator Kyle, the following amendment was adopted:

Amend the title in the last line, after the word "welfare" and before the word "and", by striking the semi-colon (;), inserting a period (.) in lieu thereof, and striking the balance of the sentence.

Senators Henderson, Troy and Kyle demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 189, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Atkinson, Edwards, Henderson, Keeler, Kerstetter, Koontz, McDonald, Mills, Moe, Percival, Roberts, Rosellini, Sullivan, Todd, Troy and Wanamaker—16.

Those voting nay were: Senators Bloomer, Copeland, Dawson, Drumheller, Ferryman, Holt, Keller, Klemgard, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Metcalf, Morgan, Murfin, Murphy, Orndorff, Roup, Shorett, Sieler, Stinson and Thomas—23.

Absent or not voting: Senators Duggan, Farquharson, Haddon, Malstrom, Reardon, Schroeder and Voyce—7.

Engrossed House Bill No. 189, having failed to receive the constitutional majority, was declared lost.

Senator Sieler announced that at the proper time he would move to reconsider the vote by which Engrossed House Bill No. 189 failed to pass the Senate.

House Bill No. 110:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Horticulture, to whom was referred House Bill No. 110, entitled: "An Act amending section 2 of chapter 148 of the Laws of 1937 (section 2858,

Remington's Revised Statutes), and repealing section 2859, Remington's Revised Statutes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CHAPIN A. MILLS, *Chairman*.

We concur in this report: John H. Ferryman, J. M. Koontz, Geo. F. McAulay.

On motion of Senator Mills, the report of the committee was received and the bill was read the third time.

The secretary called the roll on the final passage of Engrossed House Bill No. 110, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Percival, Roberts, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—37.

Absent or not voting: Senators Farquharson, Keller, Maxwell, Moe, Orndorff, Reardon, Rosellini, Schroeder and Wanamaker—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 41:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Parks and Playgrounds, to whom was referred Engrossed House Bill No. 41, entitled: "An Act relating to the Olympic National Park and ceding jurisdiction thereof to the United States with certain reservations," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 15 of the engrossed bill by striking the words "of taxation" and inserting in lieu thereof the words "to tax persons and corporations, their franchises and property on the lands included in said park".

JOSEPH D. ROBERTS, *Chairman*.

We concur in this report: Alfred E. Holt, J. W. Henderson, James T. Sullivan, Leroy L. Todd, Paul G. Thomas.

On motion of Senator Roberts, the report of the committee was received and the bill was read the third time.

On motion of Senator Roberts, the committee amendment was adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 41, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McDonald, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Roberts, Roup, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—33.

Those voting nay were: Senators Dawson, McAulay and Morgan—3.

Absent or not voting: Senators Drumheller, Farquharson, Maxwell, McMillan, Moe, Reardon, Rosellini, Schroeder, Shorett and Sieler—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 134:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Parks and Playgrounds, to whom was referred House Bill No. 134, entitled: "An Act relating to Metropolitan Park Districts and amending section 6725, Remington's Revised Statutes of Washington (section 6, chapter 98, Session Laws of 1907, as amended by chapter 268 of Session Laws of 1927)," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOSEPH D. ROBERTS, *Chairman*.

We concur in this report: Alfred E. Holt, J. W. Henderson, Leroy L. Todd, James T. Sullivan, Paul G. Thomas.

On motion of Senator Roberts, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 134, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Roup, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—36.

Absent or not voting: Senators Edwards, Klemgard, Maxwell, Mills, Moe, Reardon, Rosellini, Schroeder, Shorett and Wanamaker—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Ferryman assumed the chair.

House Bill No. 131:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 131, entitled: "An Act relating to assessment in cities and other taxing districts; requiring the making and filing of certified budget or estimates with Clerk of Board of County Commissioners; and amending section 11236, Remington's Revised Statutes of Washington (section 1, chapter 138, Session Laws of 1909, as amended by section 75, chapter 130 of the Laws of Extraordinary Session of 1925.)," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Clifford O. Moe, Mary Farquharson, Earl Maxwell, Ralph Metcalf, H. I. Kyle, F. L. Morgan, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 131, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller,

Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—35.

Absent or not voting: Senators Bloomer, Drumheller, Maxwell, McMillan, Moe, Reardon, Rosellini, Roup, Schroeder, Shorett and Todd—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 37:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Parks and Playgrounds, to whom was referred Engrossed House Bill No. 37, entitled: "An Act relating to Metropolitan Park Districts and amending section 6724 Remington's Revised Statutes of Washington (section 5, chapter 98 Session Laws of 1907 as amended by chapter 97 of Session Laws of Extraordinary Session of 1925.)," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 13 of the engrossed bill by striking the words and figures "two and six-tenths (2 6/10)" and inserting in lieu thereof the words and figures "two and one-half (2½)".

JOSEPH D. ROBERTS, *Chairman.*

We concur in this report: Leroy L. Todd, Alfred E. Holt, J. W. Henderson, James T. Sullivan, Paul G. Thomas.

On motion of Senator Roberts, the report of the committee was received and the bill was read the third time.

On motion of Senator Roberts, the committee amendment was adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 37, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—33.

Absent or not voting: Senators Bloomer, Drumheller, Farquharson, Keeler, Maxwell, McMillan, Moe, Reardon, Rosellini, Roup, Schroeder, Shorett and Troy—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Metcalf, the rules were suspended and House Bill No. 134, House Bill No. 131 and Engrossed House Bill No. 37 were ordered immediately transmitted to the House.

House Bill No. 132:

The Secretary read:

REPORTS OF STANDING COMMITTEES

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House Bill No. 132, entitled: "An Act relating to diseased animals, providing for payment of indemnities therefor, amending section 12 of chapter 165 of the Laws of 1927 as amended by section 1 of chapter 146 of the Laws of 1937, making an appropriation, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman.*

We concur in this report: John H. Ferryman, Paul G. Thomas, A. E. Edwards, Monty Percival, Gordon Klemgard, Geo. A. Lovejoy, Howard Roup, Robert T. McDonald, D. E. McMillan.

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Dairy and Livestock, to whom was referred House Bill No. 132, entitled: "An Act relating to diseased animals, providing for payment of indemnities therefor, amending section 12 of chapter 165 of the Laws of 1937 as amended by section 1 of chapter 146 of the Laws of 1937, making an appropriation, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LEROY L. TODD, *Chairman.*

We concur in this report: Monty Percival, Chapin A. Mills, H. I. Kyle, Herbert H. Sieler.

On motion of Senator Todd, the reports of the committees were received and the bill was read the third time.

On motion of Senator Duggan, the Senate resolved itself into a committee of the whole to consider House Bill No. 132.

The bill was considered in the committee of the whole, Senator Duggan in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Duggan, the report of the committee of the whole was adopted.

Senator Murphy moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

President Meyers assumed the chair.

The President announced that the question was on the final passage of House Bill No. 132.

Senators Sieler, Kyle and Henderson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 132, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Percival, Reardon, Rosellini, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—34.

Those voting nay were: Senators Dawson, Holt, Maxwell, McAulay, Morgan, Orndorff—6.

Absent or not voting: Senators Bloomer, Drumheller, Roberts, Roup, Schroeder and Stinson—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 25:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations, to whom was referred House Bill No. 25, entitled: "An Act relating to the relief of soldiers, sailors and marines of the disabled American veterans and their families; and making appropriation therefor; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman.*

We concur in this report: Paul G. Thomas, Judson W. Shorett, John H. Ferryman, Monty Percival, G. B. Kerstetter, D. E. McMillan, Chapin A. Mills, Alfred E. Holt, Geo. A. Lovejoy, Kathryn E. Malstrom, Henry J. Copeland, Robert T. McDonald, Mary Farquharson, A. E. Edwards.

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations, to whom was referred House Bill No. 25, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Gordon Klemgard, W. C. Dawson.

On motion of Senator Duggan, the Senate resolved itself into a committee of the whole to consider House Bill No. 25.

The bill was considered in the committee of the whole, Senator Duggan in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Duggan, the report of the committee of the whole was adopted.

On motion of Senator Sieler, the committee amendments read in the committee of the whole were adopted.

On motion of Senator Morgan, the following amendments read in the committee of the whole were adopted:

Amend Sec. 3 by amending the entire section.

Amend the title by striking the following: "; and declaring an emergency".

Senator Murphy moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The President announced that the question was on the final passage of House Bill No. 25.

The Secretary called the roll on the final passage of House Bill No. 25, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murphy, Percival, Rosellini, Shorett, Sieler, Sullivan, Thomas, Todd, Troy and Wanamaker—32.

Those voting nay were: Senators Dawson, Holt, Morgan, Murfin, Orndorff, Reardon—6.

Absent or not voting: Senators Bloomer, Drumheller, Moe, Roberts, Roup, Schroeder, Stinson and Voyce—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Substitute House Bill No. 29:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Substitute House Bill No. 29, entitled: "An Act relating to public school employees' retirement system, including all non-certificated employees within such system, and amending chapter 221 of the Laws of 1937 by adding thereto a new section to be known as section 4b.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LULU D. HADDON, *Chairman*.

We concur in this report: Kathryn E. Malstrom, Geo. F. McAulay, Mary Farquharson, Pearl A. Wanamaker.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

Senators Haddon, Kerstetter and Malstrom demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll.

On motion of Senator Reardon, the Senate proceeded under the call of the Senate.

Senators Haddon, Reardon and Keller demanded the previous question.

The previous question was ordered.

On motion of Senator Reardon, the call of the Senate was ordered dispensed with.

The Secretary called the roll on the final passage of Substitute House Bill No. 29, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson Bloomer, Edwards, Farquharson, Ferryman, Haddon, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Metcalf, Mills, Morgan, Murphy, Percival, Rosellini, Shorett, Sullivan, Thomas, Todd, Troy and Wanamaker—25.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Henderson, Holt, Klemgard, Koontz, McAulay, McMillan, Murfin, Orndorff and Reardon—13.

Absent or not voting: Senators Keeler, Moe, Roberts, Roup, Schroeder, Sieler, Stinson and Voyce—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 188:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

We, your Committee on Financial Institutions Other Than Banks, to whom was referred Engrossed House Bill No. 188, entitled: "An Act relating to the organization, management, and supervision of savings and loan associations; providing for the conversion of federal savings and loan associations; amending sections 20, 23, 28, 29, 47 as heretofore amended, 48, 49 as heretofore amended, 50, 51, 56, 57 and 65 of chapter 183 of the Laws of 1933; and repealing chapter 9 of the Laws of 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HAROLD P. TROY, *Chairman*.

We concur in this report: Earl Maxwell, Herbert H. Sieler, A. E. Edwards, Judson W. Shorett, Geo. A. Lovejoy, Fred S. Duggan, Henry J. Copeland.

On motion of Senator Troy, the report of the committee was received and the bill was read the third time.

On motion of Senator Troy, the following amendment was adopted:

Amend Sec. 3, line 19, page 3 of the printed bill by striking the period (.) and adding the following: "*to the extent of and while the same are covered by Federal Insurance.*"

Senators Lovejoy, Shorett and Duggan demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present except Senators Farquharson, Klemgard, Moe, Roberts, Roup, Schroeder, Stinson and Voyce.

On motion of Senator Sieler, the Senate proceeded under the call of the Senate.

On motion of Senator Reardon, the call of the Senate was dispensed with.

The Secretary called the roll on the final passage of Engrossed House Bill No. 188, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Rosellini, Shorett, Sieler, Troy and Wanamaker—31.

Those voting nay were: Senators Atkinson, Kyle, Morgan, Reardon, Sullivan, Thomas and Todd—7.

Absent or not voting: Senators Farquharson, Klemgard, Moe, Roberts, Roup, Schroeder, Stinson and Voyce—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 148:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 18, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Banking, to whom was referred Engrossed House Bill No. 148, entitled: "An Act relating to industrial loan companies; amending section 3, section 4 and section 5 of chapter 186 of the Laws of 1925, Extraordinary Session; amending section 24 of chapter 172 of the Laws of 1923; and repealing section 21, section 22 and section 23 of chapter 172 of the Laws of 1923." have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Amend Sec. 3, subsection (j), line 7, page 5 of the original bill, the same being Sec. 3, subsection (j), line 32, page 3 of the printed bill, by striking the word "inclusive" and inserting in lieu thereof the word "exclusive".

Geo. F. McAulay, *Chairman.*

We concur in this report: Geo. A. Lovejoy, Fred S. Duggan, Herbert H. Sieler, Henry J. Copeland, Robert T. McDonald, Thomas Voyce, Joseph D. Roberts.

Senate Chamber,
Olympia, Wash., February 18, 1939.

MR. PRESIDENT:

We, a part of your Committee on Banks and Banking, to whom was referred Engrossed House Bill No. 148, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: F. L. Morgan.

Senate Chamber,
Olympia, Wash., February 18, 1939.

MR. PRESIDENT:

We, a part of your Committee on Banks and Banking, to whom was referred Engrossed House Bill No. 148, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman.*

We concur in this report: Kathryn E. Malstrom.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

On motion of Senator Lovejoy, the majority committee amendment was adopted.

Senators Orndorff, Lovejoy and Duggan demanded the previous question. The previous question was ordered.

Senator Sullivan assumed the chair.

The Secretary called the roll on the final passage of Engrossed House Bill No. 148, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Shorett, Sieler, Troy and Wanamaker—27.

Those voting nay were: Senators Atkinson, Ferryman, Kerstetter, Kyle, Malstrom, Morgan, Rosellini, Sullivan, Thomas and Todd—10.

Absent or not voting: Senators Drumheller, Klemgard, Moe, Reardon, Roberts, Roup, Schroeder, Stinson and Voyce—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 104:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on State Charitable Institutions, to whom was referred Engrossed House Bill No. 104, entitled: "An Act amending section 6 of chapter 81 of the Laws of 1915, the same being section 6949 of Remington's Revised Statutes (section 2820, Pierce's Code), to provide for commitment and transfer of veterans to certain veterans' administration facilities.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Amend section 1, page 1, line 31 and page 2, line 1, of the engrossed bill, the same being section 1, page 1, line 19 of the printed bill by striking the words "state board of control" following the word "the" and preceding the word "shall" and inserting in lieu thereof the words: "director of department of finance, budget and business".

Amend section 1, page 2, line 8 of the engrossed bill, the same being section 1, page 1, line 25 of the printed bill by striking the words "state board of control" following the word "the" and preceding the word "from" and inserting in lieu thereof the words: "director of department of finance, budget and business".

MONTY PERCIVAL, *Chairman.*

We concur in this report: Lulu D. Haddon, Kebl Murphy, Herbert H. Sieler, Chapin A. Mills, Kathryn E. Malstrom, Leroy L. Todd, Ted F. Schroeder.

On motion of Senator Percival, the report of the committee was received and the bill was read the third time.

On motion of Senator Sieler, the committee amendments were adopted.

Senators Drumheller, Orndorff and Duggan demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 104, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Kyle, Malstrom, McAulay, McDonald, Metcalf, Morgan, Murfin, Murphy, Orndorff, Percival, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd and Wanamaker—33.

Absent or not voting: Senators Klemgard, Koontz, Lovejoy, Maxwell, McMillan, Mills, Moe, Reardon, Roberts, Roup, Schroeder, Troy and Voyce—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 60:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Engrossed House Bill No. 60, entitled: "An Act relating and licensing the possession, sale and disposal of certain prophylactics, designed, intended or having special

utility for the prevention and/or treatment of venereal diseases; and prescribing penalties.”, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. W. HENDERSON, *Chairman.*

We concur in this report: Lulu D. Haddon, Geo. A. Lovejoy, G. B. Kerstetter, Paul G. Thomas, Henry J. Copeland.

On motion of Senator Henderson, the report of the committee was received and the bill was read the third time.

Senators Haddon, Henderson and Wanamaker demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 60, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Malstrom, McAulay, McDonald, McMillan, Metcalf, Morgan, Murfin, Murphy, Orndorff, Percival, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Absent or not voting: Senators Edwards, Ferryman, Klemgard, Lovejoy, Maxwell, Mills, Moe, Reardon, Roberts, Roup and Schroeder—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 91:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, your Committee on Industrial Insurance, to whom was referred Engrossed House Bill No. 91, entitled: “An Act relating to extrahazardous employment and to the compensation and remedies of workmen injured therein, and of their dependents and beneficiaries in case of death, and to the medical aid of workmen injured and safety of workmen engaged in such employments; amending section 7674 of Remington's Revised Statutes of Washington, as amended by section 1, chapter 211, Laws of 1937; and section 7675 of Remington's Revised Statutes of Washington.”, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. KERSTETTER, *Chairman.*

We concur in this report: Harold P. Troy, J. W. Henderson, Clifford O. Moe, W. C. Dawson, Monty Percival, J. P. Keller.

On motion of Senator Kerstetter, the report of the committee was received and the bill was read the third time.

Senators Drumheller, Duggan and Orndorff demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 91, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff,

Percival, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Keller, Klemgard, Moe, Reardon, Roberts and Schroeder—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 300:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber.

Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House Bill No. 300, entitled: "An Act relating to officers of county and state party committee organizations, and amending section 1 of chapter 200 of the Laws of 1927 (section 5198 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

KEBEL MURPHY, *Chairman*.

We concur in this report: Pearl A. Wanamaker, H. I. Kyle, James T. Sullivan, A. E. Edwards, Monty Percival.

On motion of Senator Murphy, the report of the committee was received and the bill was read the third time.

Senators Drumheller, Orndorff and Duggan demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final pasage of House Bill No. 300, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—37.

Those voting nay were: Senator Dawson—1.

Absent or not voting: Senators Keller, Klemgard, Koontz, McMillan, Mills, Reardon, Roberts and Schroeder—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

President Meyers assumed the chair.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Joint Resolution No. 18; also

'Senate Concurrent Resolution No. 4; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 198, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bills Nos. 93, 322, and 407, have compared same with the original bills and find them correctly engrossed.
Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Robert T. McDonald, Joseph D. Roberts, Harold P. Troy, Paul G. Thomas.

The report was ordered received.

REPORTS OF STANDING COMMITTEES

House Bill No. 225:

A majority of the Committee on Mines and Mining recommended that House Bill No. 225 do pass.

A minority of the Committee on Mines and Mining reported House Bill No. 225 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 475:

The Committee on Roads and Bridges recommended that Senate Bill No. 475 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 261:

The Committee on Municipal Corporations Other Than First Class recommended that Senate Bill No. 261 do pass.

The report of the committee, together with the bill, was placed on general file.

At 6:10 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTY-THIRD DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Thursday, March 2, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

On motion of Senator Farquharson, the reading of the journal of the previous day was dispensed with and it was approved.

RECONSIDERATION

House Bill No. 189:

Senator Sieler moved that the Senate now reconsider the vote by which House Bill No. 189 failed to pass the Senate.

The motion by Senator Sieler carried.

Senators Keeler, Orndorff and Percival demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 189, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Dawson, Edwards, Haddon, Henderson, Holt, Keeler, Lovejoy, Malstrom, Maxwell, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Todd, Troy, Voyce and Wanamaker—32.

Those voting nay were: Senators Copeland, Farquharson, Ferryman, Kerstetter, Klemgard, Kyle, McAulay, McMillan, Murphy and Thomas—10.

Absent or not voting: Senators Drumheller, Duggan, Keller and Koontz—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

SENATE RESOLUTION

By Senators Atkinson and McDonald:

Be It Resolved by the Senate:

WHEREAS, American chambers of commerce in China are protesting the violation of neutral and trade rights by Japan; and

WHEREAS, Japanese penetration into China is contrary to the Nine-Power Treaty and the Kellogg Pact; and

WHEREAS, The seizure of the island of Hainan and the bombing of the neutral port of Hong Kong definitely proved that the open door in China has been closed by the militarists of Japan; and

WHEREAS, Such closure threatens a traditional American policy and strengthens the competition of cheap Japanese goods in the markets of the world against goods made under American standards; and

WHEREAS, The further military expansion of Japan threatens the Philippine people and is likely eventually to threaten the American people; and

WHEREAS, American scrap iron and munitions are being used to load Japanese guns; *Now, Therefore, We, the Senate of the State of Washington, in session assembled, petition the President of the United States and the Department of State to use every means in their power to stop the shipment of scrap iron and other war materials to Japan.*

Senator Atkinson moved the adoption of the resolution.

Senator Klemgard moved that the resolution be referred to the Committee on Military.

Senators Drumheller, Maxwell and Orndorff demanded the previous question.

The previous question was ordered.

The Chair announced that the question is on the motion by Senator Klemgard to re-refer the resolution to the Committee on Military.

The motion by Senator Klemgard carried.

REPORTS OF STANDING COMMITTEES

Engrossed House Bill No. 264:

The Committee on Revenue and Taxation recommended that Engrossed House Bill No. 264 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 263:

The Committee on Revenue and Taxation recommended that House Bill No. 263 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 204:

The Committee on Educational Institutions recommended that House Bill No. 204 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 96:

The Committee on Financial Institutions Other Than Banks recommended that House Bill No. 96 do pass.

The report of the committee, together with the bill, was placed on general file.

Senator Murfin assumed the chair.

Senate Bill No. 487:

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 487 do pass with certain amendments.

A minority of the Committee on Revenue and Taxation recommended that Senate Bill No. 487 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 273:

A part of the Committee on Revenue and Taxation recommended that Senate Bill No. 273 do pass.

A part of the Committee on Revenue and Taxation recommended that Senate Bill No. 273 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 191:

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 191 do pass.

A minority of the Committee on Revenue and Taxation recommended that Senate Bill No. 191 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, March 1, 1939.

CLARENCE D. MARTIN, *Governor*.

To the Honorable, the Senate of the State of Washington.

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

Senate Bill No. 13: "An Act validating tax levies made in any city or town prior to the 14th day of May, 1926, for the creation of a revolving or guaranty fund to guarantee the payment of local improvement bonds or warrants issued within any such city or town prior to said date, and subsequent to the date of any such levies."

Senate Bill No. 43: "An Act relating to the use and furnishing of stamps, coupons, tickets, certificates, cards and other similar devices, for or with the sale of goods, wares or merchandise, and amending chapter 134 of the Laws of 1913, (section 8361 of Remington's Revised Statutes)."

Senate Bill No. 141: "An Act relating to the investment and management of trust funds; amending sections 1 and 3 of chapter 37, Extraordinary Session of 1933, as amended by chapter 11 of the Laws of 1935."

Senate Bill No. 142: "An Act relating to and regulating investments by mutual savings banks and amending section 3a of chapter 74 of the Laws of 1929, as inserted by and contained in section 1, chapter 10, Laws of 1935."

Very truly yours,

RICHARD HAMILTON,

Secretary to the Governor.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 88; also

Engrossed Senate Bill No. 114, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 37 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

The House has failed to pass Senate Bill No. 127, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 277, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 175; also
Engrossed House Bill No. 223; also
House Bill No. 268; also
House Bill No. 334; also
House Bill No. 381; also
Engrossed House Bill No. 425; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

The House has adopted the report of the free conference committee on Senate Bill No. 50 and passed the bill, and said bill together with the free conference report is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Maxwell assumed the chair.

The Secretary read:

REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Senate Bill No. 50, entitled: "An Act relating to inspection of bakeries, and amending section 8 of chapter 137 of the Laws of 1937," have had the same under consideration, and we recommend that the House recede from the House amendment thereto and that the bill be amended as follows:

Amend section 1, line 18 of the original bill, the same being section 1, line 10 of the printed bill by inserting after the word "bakery" and before the word "association" the word "operators'".

Senate Members:

A. M. MURFIN,
H. I. KYLE,
TED F. SCHROEDER.

House Members:

H. C. ARMSTRONG,
JOHN SHERMAN,
PERRY B. WOODALL.

On motion of Senator Murfin, the report of the free conference committee was adopted.

The Chair announced that Senate Bill No. 50 is now on final passage.

The Secretary called the roll on the final passage of Senate Bill No. 50, as amended by the Free Conference Committee, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Voyce and Wanamaker—33.

Absent or not voting: Senators Drumheller, Duggan, Keeler, Keller, Kerstetter, Klemgard, Koontz, McMillan, Metcalf, Moe, Reardon, Stinson and Troy—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Murfin assumed the chair.

INTRODUCTION OF BILLS

Engrossed House Bill No. 198, by Representative Reilly (Edward J.), entitled: "An Act relating to crimes and punishment and to Sabbath breaking, and amending section 242 of chapter 249 of the Laws of 1909."

The bill was read the first time and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Liquor Control.

House Bill No. 175, by Representative Van Dyk, entitled: "An Act relating to the listing and assessment of property for taxation; providing for annual listing and assessment of both real and personal property; prescribing that certain personal property shall be listed and assessed on a monthly average basis; amending section 8, chapter 130, Laws Extraordinary Session of 1925; and declaring an emergency."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

Engrossed House Bill No. 223, by Representative Lindsay, entitled: "An Act providing for bonding and licensing of painting contractors; licensing of journeymen; prescribing the powers and duties of certain officials in connection therewith; making certain practices unlawful and prescribing penalties; and providing certain regulations."

The bill was read the first time, and on motion of Senator Wanamaker the rules were suspended, the bill was read the second time by title, and referred to the Committee on Labor and Labor Statistics.

House Bill No. 268, by Representative Riley (Edward F.), (By Departmental Request), entitled: "An Act providing for the regulation and supervision of the issuance and sale of certain securities to prevent fraud in the sale thereof, and amending section 6 of chapter 69, Laws of 1923, as amended by section 6, chapter 97, Laws of 1935 (being section 5853-6 of Remington's Revised Statutes as amended)."

The bill was read the first time, and on motion of Senator Lovejoy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Insurance.

Engrossed House Bill No. 277, by Representative Moulton, entitled: "An Act relating to the control and eradication of animal diseases; and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Shorett the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

House Bill No. 334, by Representative Riley (Edward F.), entitled: "An Act making an appropriation from the veterans' compensation bond retirement fund; limiting the time for making application and authorizing payment thereunder."

The bill was read the first time, and on motion of Senator Orndorff the rules were suspended, the bill was read the second time by title, and referred to the Committee on Military.

House Bill No. 381, by Representative Martin, entitled: "An Act relating to the sale of tide lands in front of the city of La Conner."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted School and Tide Lands.

Engrossed House Bill No. 425, by Representative Reilly (Edward J.), (By Departmental Request), entitled: "An Act relating to revenue and taxation; providing for the levy and collection of taxes on estates, gifts and transfers in contemplation or to take effect upon death, legacies, inheritances, bequests, devises and successions applicable to property whether held jointly or severally, and to insurance payable upon death; providing for certain exemptions; providing for the appointment and fixing compensation of appraisers; providing for a penalty for delinquency; providing for the application of the act to pending cases; providing for the amendment of section 2, chapter 55, Laws of 1901, as amended; section 4, chapter 134, Laws of 1931, as amended; section 12, chapter 55, Laws of 1901, as amended; section 115, chapter 180, Laws of 1935; section 8, chapter 55, Laws of 1917, as amended; section 4, chapter 146, Laws of 1917, as amended; section 95, chapter 156, Laws of 1917, as amended; section 13, chapter 55, Laws of 1901, as amended; section 7, chapter 134, Laws of 1931, as amended; section 1, chapter 93, Laws of 1905, as amended; section 9, chapter 134, Laws of 1931, as amended; declaring an emergency and that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

GENERAL FILE

Senate Bill No. 109:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate Bill No. 109, entitled: "An Act relating to tuna, providing for a privilege fee thereon, defining offenses, providing penalties and creating a lien on canneries, packing plants, warehouses, scows and boats, and declaring that this act shall take effect March 31st, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. E. EDWARDS, *Chairman*.

We concur in this report: K. W. Reardon, Harold P. Troy, T. C. Bloomer, Leroy L. Todd.

On motion of Senator Edwards, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 109, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Edwards, Farquharson, Haddon, Henderson, Holt, Kerstetter, Kyle, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Roup, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wana-maker—30.

Absent or not voting: Senators Atkinson, Drumheller, Duggan, Ferryman, Keeler, Keller, Klemgard, Koontz, Lovejoy, McMillan, Moe, Murphy, Reardon, Roberts, Rosellini and Shorett—16.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 226:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 226, entitled: "An Act providing for the regulation and supervision of the issuance and sale of certain securities, to prevent fraud in the sale thereof; amending chapter 69, Laws of 1923, and chapter 182, Laws of 1937, and providing for the issuance of pre-organization subscriptions, the payment of consideration therefor, and the licensing thereof, and prescribing fees for pre-organization permits.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the bill by adding thereto a new section to follow section 3, to be designated section 4, and reading as follows:

"Sec. 4. That chapter 69, Laws of 1923 be amended by adding thereto a new section to follow section 18, to be designated section 18a, and reading as follows:

"Section 18a. Every sale or contract for sale made in violation of any of the provisions of the securities act (chapter 69, Laws of 1923, as amended) shall be voidable at the election of the purchaser, and the person making such sale or contract for sale and every person who shall have participated in or aided the seller in any way in making such sale or contract of sale shall be jointly and severally liable to such purchaser in an action at law in any court of competent jurisdiction, upon tender to the seller in person or in open court of the securities sold or of the contract made, for the full amount paid by such purchaser together with all taxable court costs, unless the court shall determine that the violation did not materially affect the protection contemplated by the violated provision: *Provided*, That no action shall be brought for the recovery of the purchase price after two years from the date of such sale or contract for sale: *Provided, further*, That any existing cause of action for redress on account of any sale or contract of sale made in violation of any of the provisions of the securities act and not now barred by limitation may be commenced at any time prior to the expiration of one year after the passage of this act. No period of limitation applicable to any such action shall be deemed to be tolled during the time that any person or company is subject to personal or substituted service of process within the State of Washington."

Amend the title by striking the whole thereof and inserting in lieu thereof the following:

"An Act providing for the regulation and supervision of the issuance and sale of certain securities, to prevent fraud in the sale thereof; amending chapter 69, Laws of 1923, as amended; providing for the issuance of pre-organization subscriptions, the pay-

ment of consideration therefor, and the licensing thereof; prescribing fees for pre-organization permits; declaring voidable sales made without a permit in violation of said chapter or in violation of a permit issued under said chapter; relating to actions for redress on account of sales made contrary to the provisions of said chapter and amendments thereof; prescribing the period of limitation applicable to such actions, existing or hereafter arising; and amending chapter 69, Laws of 1923 by adding thereto two new sections to be designated section 3a and section 18a.”

FRED S. DUGGAN, *Chairman.*

We concur in this report: Harold P. Troy, Clifford O. Moe, Ralph Metcalf, Leroy L. Todd, Earl Maxwell, Herbert H. Sieler, F. L. Morgan, Judson W. Shorett, A. M. Murfin, H. I. Kyle.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Kyle, the following amendment was adopted:

Amend section 1, line 4, page 1 of the printed bill, by striking the word “signification” and inserting in lieu thereof the word “meaning”.

On motion of Senator Duggan, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 226, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Kyle, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—37.

Absent or not voting: Senators Drumheller, Haddon, Klemgard, Koontz, Lovejoy, Murphy, Reardon, Roberts and Todd—9.

The bill, having received the constitutional majority was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 333:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 333, entitled: “An Act relating to the Washington State Patrol; authorizing the chief of the Washington state patrol to relieve from active duty certain officers who have been injured or have become incapacitated during official service; directing a study of a retirement system for the Washington state patrol; providing that this act shall be effective until March 31, 1941, and declaring an emergency.”, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 2, line 9 of the printed bill, being lines 17 and 18 of the original bill by striking the words “or private insurance, or both”.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Harold P. Troy, Clifford O. Moe, Ralph Metcalf, Leroy L. Todd, Herbert H. Sieler, Earl Maxwell, H. I. Kyle.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 333, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Drumheller, Holt, Moe, Reardon, Roberts and Stinson—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 335:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a part of your Committee on Education, to whom was referred Senate Bill No. 335, entitled: "An Act relating to education; defining terms; providing for county committees and a state commission for the reorganization of school districts; defining the powers and duties of county committees and the state commission; providing for appeals; prescribing duties of county and state officers; providing for boards of school directors in reorganized school districts; making certain statutes temporarily inoperative; providing for the classification of reorganized school districts; making an appropriation and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LULU D. HADDON, *Chairman.*

We concur in this report: Pearl A. Wanamaker, K. W. Reardon.

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a part of your Committee on Education, to whom was referred Senate Bill No. 335, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Gordon Klemgard.

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 335.

The bill was considered in the committee of the whole, Senator Orndorff in the chair, and reported back to the Senate with the recommendation that it do pass, as amended.

On motion of Senator Orndorff, the report of the committee of the whole was adopted.

On motion of Senator Kyle, the following amendments made in the committee of the whole were adopted:

Amend Sec. 11, line 37, page 5 of the printed bill, being Sec. 11, line 2, page 9 of the original bill, after the word "shall" and before the word "be" strike the word "not".

Amend Sec. 19 by striking the entire section.

Amend the title after the word "appropriation" by inserting a period (.) and strike the balance of the sentence.

Senator Drumheller moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

President Meyers assumed the chair.

Senator Thomas moved that Senate Bill No. 335 be re-referred to the Committee on Education.

The motion by Senator Thomas failed to carry.

Senators Maxwell, Orndorff, and Holt demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 335, as amended and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Drumheller, Duggan, Edwards, Ferryman, Haddon, Holt, Keeler, Koontz, Lovejoy, Malstrom, Maxwell, McDonald, Mills, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—28.

Those voting nay were: Senators Copeland, Dawson, Farquharson, Henderson, Keller, Kerstetter, Klemgard, Kyle, McAulay, McMillan, Metcalf, Morgan, Murfin, Murphy, Roup and Todd—16.

Absent or not voting: Senators Moe and Reardon—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Malstrom gave notice that at the proper time tomorrow she would move to reconsider the vote by which Senate Bill No. 335 passed the Senate.

At 12:20 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 2:00 o'clock p. m., this afternoon.

AFTERNOON SESSION

The Senate was called to order at 2:00 o'clock p. m., by Senator Murphy.

On motion of Senator Shorett, the Senate recessed until 2:30 o'clock p. m.

The Senate was called to order at 2:30 o'clock p. m., by Senator Roup.

On motion of Senator Orndorff, the Senate was declared at ease until 2:45 o'clock p. m.

The Senate was called to order at 2:45 o'clock p. m., by President Meyers.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving committee reports.

REPORTS OF STANDING COMMITTEES

Engrossed House Bill No. 283:

A majority of the Committee on Appropriations recommended that Engrossed House Bill No. 283 do pass.

A minority of the Committee on Appropriations recommended that Engrossed House Bill No. 283 do not pass.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 259:

The Committee on Revenue and Taxation recommended that House Bill No. 259 be re-referred to the Committee on Roads and Bridges.

On motion of Senator Sieler, the report of the committee was adopted and House Bill No. 259 was re-referred to the Committee on Roads and Bridges.

Senate Bill No. 427:

The Committee on Social Security recommended that Senate Bill No. 427 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senator Atkinson assumed the chair.

Senate Bill No. 467:

The Committee on Social Security recommended that Senate Bill No. 467 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 454:

The Committee on Judiciary recommended that Senate Bill No. 454 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 414:

The Committee on Judiciary recommended that Senate Bill No. 414 be referred back to the Senate without recommendation.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 294:

A majority of the Committee on Judiciary recommended that Senate Bill No. 294 do pass.

A minority of the Committee on Judiciary recommended that Senate Bill No. 294 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 5:

A majority of the Committee on Judiciary referred Senate Bill No. 5 back to the Senate without recommendation.

A minority of the Committee on Judiciary recommended that Senate Bill No. 5 do pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 290:

A part of the Committee on Judiciary recommended that Senate Bill No. 290 do pass.

A part of the Committee on Judiciary recommended that Senate Bill No. 290 do not pass.

A part of the Committee on Judiciary referred Senate Bill No. 290 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 242:

The Committee on Judiciary recommended that Senate Bill No. 242 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 241:

The Committee on Judiciary recommended that Senate Bill No. 241 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 287:

A majority of the Committee on Judiciary recommended that Senate Bill No. 287 do pass.

A minority of the Committee on Judiciary recommended that Senate Bill No. 287 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 324:

The Committee on Judiciary recommended that Senate Bill No. 324 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Substitute House Bill No. 83:

The Committee on Dairy and Livestock recommended that Substitute House Bill No. 83 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 437:

The Committee on Judiciary recommended that Senate Bill No. 437 be re-referred to the Committee on Appropriations with the recommendation that it do pass.

On motion of Senator Duggan, the report of the committee was adopted and Senate Bill No. 437 was ordered re-referred to the Committee on Appropriations.

The Senate referred back to the fifth order of business for the purpose of receiving messages from the house.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 148 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 104 and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 41 and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 25 and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 323 and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

GENERAL FILE

Senate Bill No. 227:

On motion of Senator Duggan, Senate Bill No. 227 was ordered dropped three places on the calendar.

Senate Bill No. 301:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 301, entitled: "An Act relating to the State Board of Education and amending section 1 of chapter 65 of the Laws of 1925, Extraordinary Session (section 4525 of Remington's Revised Statutes) and section 2 of subchapter 3 of title I of chapter 97 of the Laws of 1909 (section 4526 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, of the original bill, the same being section 1 of the printed bill, by striking the whole thereof and inserting in lieu thereof the following:

"Section 1. * * * * The State Board of Education shall consist of the Superintendent of Public Instruction, during his term of office, * * * * a county superintendent of schools, during his term of office, selected by the county superintendents of schools, a member of the faculty of one of the institutions of higher learning of this state, including the colleges of education, selected for a four year term by the presidents of such institutions, and six (6) other members appointed by the Governor. The latter members shall be chosen as follows: One, for a first term of two years, thereafter for a four year term, from the principals or superintendents of grade or high schools; one representing business and employers, for a four year term; one representing professional occupations, for a first term of two years, thereafter for a four year term; one representing labor and employee interests, for a six year term; one representing agricultural interests, for a first term of two years, thereafter for a six year term; and one woman, not engaged in the teaching profession, who shall be chosen from the state at large, for a first term of four years, thereafter for a six year term."

Amend section 2, sub-section 2, line 28 of the original bill, the same being section 2, sub-section 2, line 17 of the printed bill, by striking the words "but shall not" and inserting in lieu thereof the words "and shall". LULU D. HADDON, *Chairman*.

We concur in this report: Pearl A. Wanamaker, K. W. Reardon, Gordon Klemgard.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

On motion of Senator Reardon, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 301, as amended, and it passed the Senate by the following vote:*

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McDonald, McMillan, Metcalf, Mills, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Troy and Wanamaker—34.

Absent or not voting: Senators Atkinson, Drumheller, Keeler, Keller, Klemgard, Maxwell, McAulay, Moe, Murfin, Roup, Sullivan and Voyce—12.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 76:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 76, entitled: "An Act relating to vocational education, accepting certain acts of Congress in relation thereto, establishing a state board for vocational education and defining its powers and duties, authorizing the payment of certain obligations incurred for vocational education supervision, amending sections 1, 3 and 5, chapter 160, Laws of 1919, repealing section 4, chapter 160, Laws of 1919, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 2, sub-section 3, line 30 of the original bill, the same being section 2, sub-section 3, line 17 of the printed bill, by striking the comma (,) after the word "education" and inserting in lieu thereof a period (.) and striking the following words:

"but shall be an entity separate and distinct from said board of education and from the common school system of the state in order to vest control of the state's program of vocational education in a board having power to cooperate with the Federal government in carrying on said program, thus insuring full compliance with the provisions of the Federal acts accepted by the State of Washington by this act, and the continued receipt of funds made available to the state under their provisions."

LULU D. HADDON, *Chairman*.

We concur in this report: K. W. Reardon, Pearl A. Wanamaker, Gordon Klemgard.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

President Meyers assumed the chair.

On motion of Senator Reardon, the committee amendment was adopted.

Senator Morgan moved the adoption of the following amendment:

Amend section 6, line 37 of the printed bill, same being lines 19-22 of the original bill, by striking section 6.

On motion of Senator Roberts, the amendment was laid on the table. Senators McDonald, Reardon and Farquharson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 76, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Haddon, Holt, Keeler, Klemgard, Koontz, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Mills, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Troy and Wanamaker—26.

Those voting nay were: Senators Atkinson, Ferryman, Henderson, Kerstetter, Kyle, Malstrom, McAulay, Morgan, Murfin, Murphy, Sullivan, Thomas, Todd—13.

Absent or not voting: Senators Duggan, Keller, Moe, Roup, Schroeder, Stinson and Voyce—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Farquharson gave notice at the proper time tomorrow she would move for a reconsideration of the vote by which Senate Bill No. 76 passed the Senate.

Senator Drumheller assumed the chair.

Senate Bill No. 227:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 227, entitled: "An Act providing an excise tax upon the business of distributing, selling, withdrawing or in any manner using refined or partially refined liquid or liquefiable petroleum products, except gasoline, medicinal oils, wax, and lubricating oils, and repealing sections 78, 79, 80, 81 and 81a, chapter 180, Laws of 1935 as amended by chapter 116, Laws of 1937 (sections 8370-78, 8370-79 8370-80, 8370-81 and 8370-81-a of Remington's Revised Statutes of the State of Washington.)", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 10, of the original bill, the same being section 1, line 3, of the printed bill, by striking the words and figures "one-quarter ($\frac{1}{4}$)" and inserting in lieu thereof the words and figures "one-eighth ($\frac{1}{8}$)".

Amend Sec. 15, page 15, line 13, of the original bill, the same being Sec. 15, page 9, line 3, of the printed bill, by inserting after subsection (e) and immediately before the proviso, a new subsection to be known as subsection (f), to read as follows:

"(f) Withdrawal, sale or distribution of petroleum products by a distributor to any person who is subject to tax under title V, chapter 180, Laws of 1935, and amendments thereto, and who purchases such petroleum products for the purpose of converting and who does actually convert the same into manufactured gas for distribution to the public."

A. M. MURFIN, *Chairman.*

We concur in this report: Alfred E. Holt, Kebel Murphy, James T. Sullivan, W. R. Orndorff, Ralph Metcalf, Pearl A. Wanamaker.

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 227, have had the same under consideration, and we respectfully report

the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: F. L. Morgan, Harold P. Troy, Joseph D. Roberts, N. P. Atkinson.

On motion of Senator Murfin, the reports of the committee were received and the bill was read the third time.

Senator Murfin moved the adoption of the committee amendment to Section 1, line 10, of the original bill.

Senators Wanamaker, Todd, Mills, Voyce, Sullivan, Atkinson, Malstrom and Murphy demanded a roll call.

A roll call was ordered.

The Secretary called the roll, and the motion of Senator Murfin carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Duggan, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Murphy, Orndorff, Roberts, Roup, Sieler, Stinson and Troy—23.

Those voting nay were: Senators Atkinson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Kyle, Malstrom, Morgan, Percival, Reardon, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd and Wanamaker—19.

Absent or not voting: Senators Bloomer, Kerstetter, Moe and Voyce—4.

Senator Maxwell gave notice that at the proper time he would move to reconsider the vote by which the amendment carried.

Senators Maxwell, Lovejoy and Haddon demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

Senator Lovejoy moved that Senator Kerstetter be excused.

The President announced that the question was on the motion of Senator Lovejoy that Senator Kerstetter be excused.

The motion by Senator Lovejoy carried.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, the absentees being Senators Bloomer, Ferryman, Moe and Voyce.

The President ordered the Sergeant-at-Arms to notify the absent members that that the Senate is now under the call of the Senate.

The President declared the Senate at ease until the absent Senators could be brought to the floor of the Senate.

Senator Drumheller assumed the chair.

On motion of Senator Maxwell, the Senate proceeded under the call of the Senate.

President Meyers assumed the chair.

Senator Maxwell moved that the Senate now reconsider the vote by which the amendment to Senate Bill No. 227 was adopted.

On motion of Senator Reardon the further call of the Senate was ordered dispensed with.

The President announced that the question now before the Senate is whether the vote by which the amendment to Senate Bill No. 227 carried shall be reconsidered.

Senators Maxwell, Reardon, Kyle, Morgan, Keeler, Malstrom, Atkinson, and Edwards demanded a roll call.

A roll call was ordered.

The Secretary called the roll, and the motion by Senator Maxwell to reconsider the vote by which the amendment to Senate Bill No. 227 passed the Senate, carried by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Moe, Morgan, Orndorff, Percival, Reardon, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd and Wanamaker—27.

Those voting nay were: Senators Copeland, Dawson, Duggan, Keeler, Keller, Klemgard, Koontz, McDonald, Metcalf, Mills, Murfin, Murphy, Roberts, Roup, Sieler and Stinson—16.

Absent or not voting: Senators Kerstetter, Troy and Voyce—3.

Senators Murfin, Lovejoy and Orndorff demanded the previous question.

The previous question was ordered.

Senators Maxwell, Reardon, Kyle, Morgan, Keeler, Malstrom, Atkinson, and Edwards demanded a roll call.

A roll call was ordered.

The President announced that the question now before the Senate was on the adoption of the amendment.

The Secretary called the roll, and the amendment failed of adoption by the following vote:

Those voting aye were: Senators Copeland, Dawson, Duggan, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, Metcalf, Mills, Murfin, Murphy, Roberts, Roup, Sieler and Stinson—19.

Those voting nay were: Senators Atkinson, Bloomer, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Kyle, Malstrom, Maxwell, McMillan, Moe, Morgan, Orndorff, Percival, Reardon, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd and Wanamaker—24.

Absent or not voting: Senators Kerstetter, Troy and Voyce—3.

Senator Murfin moved that the committee amendment to sec. 15, page 15, line 13 of the original bill be adopted.

Senator Drumheller moved the previous question.

The motion by Senator Murfin carried.

Senator Murphy moved the adoption of the following amendment:

Amend Sec. 15, line 39, page 8 of the printed bill, same being line 4, page 15 of the original bill, by striking the words "which the distributor exports from this state" and substituting the words "sold, withdrawn or distributed by the distributor for export from or use outside of the State of Washington: *Provided, however,* The distributor shall furnish proof by sworn statement showing the actual amount of petroleum products exported from or used outside of the State of Washington," so that section 15 (b) as amended, shall read: "Section 15(b). Withdrawal, sale, or distribution of petroleum products sold, withdrawn or distributed by the distributor for export from or use outside of the State of Washington: *Provided, however,* The distributor shall furnish proof by sworn statement, showing the actual amount of petroleum products exported from or sold outside of the State of Washington."

On motion of Senator Maxwell, the amendment was laid on the table.

Senator Murphy moved the adoption of the following amendment:

Amend section 15, line 2, page 9, of the printed bill, same being line 14, page 15 of the original bill, by adding an additional subdivision (g) to read as follows:

"Section 15 (g). Withdrawal, sale, distribution, or use of petroleum products withdrawn, sold, distributed, or in any manner used in producing, manufacturing or furnishing a product, a commodity, or a service, which is already subjected to a tax, on a percentage of the gross revenue derived therefrom, under titles II and V, or either of said titles, chapter 180, Session Laws 1935, as amended by chapter 227, Session Laws 1937."

On motion of Senator Kyle, the amendment was laid on the table.

The President announced that Senate Bill No. 227 is now on final passage.

On motion of Senator Kyle, Senator Drumheller was excused from voting by reason of some interest that he might have.

The Secretary called the roll on the final passage of Senate Bill No. 227, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Koontz, Kyle, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd and Wanamaker—32.

Those voting nay were: Senators Klemgard, Lovejoy, McAulay, Mills, Roberts, Roup and Sieler—7.

Absent or not voting: Senators Drumheller, Keller, Kerstetter, Murphy, Stinson, Troy and Voyce—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 422:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred Senate Bill No. 422, entitled: "An Act relating to public employees, providing for the granting of military leave, and declaring that this act shall take effect April 1, 1939," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. R. ORNDORFF, *Chairman.*

We concur in this report: Chapin A. Mills, Gordon Klemgard, Joseph D. Roberts.

On motion of Senator Orndorff, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 422, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Klemgard, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd and Wanamaker—35.

Absent or not voting: Senators Bloomer, Drumheller, Keller, Kerstetter, Kyle, Maxwell, Moe, Murphy, Rosellini, Troy and Voyce—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 253:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a part of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 253, entitled: "An Act relating to the operation of ferries; providing for the acquisition of ferries and ferry services by gift, purchase and condemnation; relating to the powers and duties of the Washington toll bridge authority and certain officers; providing for the acquisition, construction, operation and maintenance of ferry vessels and ferry services; relating to certain actions of the legislature of the State of Washington; defining the powers and duties of certain state officers; providing for the issuance and sale of bonds and the conditions, terms and redemption thereof; providing for the deposit and use of certain funds and revenues; defining terms, repealing acts and parts of acts in conflict; providing for constitutionality; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman.*

We concur in this report: Pearl A. Wanamaker, C. F. Stinson, Lulu D. Haddon, Thomas Voyce, Leroy L. Todd, H. I. Kyle, T. C. Bloomer, Ted Schroeder, Howard Roup.

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a part of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 253, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Geo. F. McAulay, Herbert H. Sieler, Harold P. Troy, J. W. Henderson, Earl Maxwell.

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a part of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 253, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

J. P. KELLER, *Chairman.*

We concur in this report: J. M. Koontz, Clifford O. Moe.

On motion of Senator Keller, the reports of the committee were received and the bill was read the third time.

Senator Lovejoy moved that Senate Bill No. 253 be indefinitely postponed.

At 5:55 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 7:30 o'clock p. m., this evening.

EVENING SESSION

The Senate was called to order at 7:30 o'clock p. m., by President Meyers. Senator Koontz assumed the chair.

The Senate referred back to the second order of business for the purpose of receiving committee reports.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 492:

The Committee on Education recommended that Senate Bill No. 492 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 78:

The Committee on Education recommended that Engrossed House Bill No. 78 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 40:

The Committee on Education recommended that Engrossed House Bill No. 40 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 259:

The Committee on Roads and Bridges recommended that House Bill No. 259 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 92:

The Committee on Harbors and Waterways recommended that Engrossed House Bill No. 92 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 432:

The Committee on Parks and Playgrounds recommended that Engrossed House Bill No. 432 do pass.

The report of the committee, together with the bill, was placed on general file.

President Meyers assumed the chair.

GENERAL FILE

Senate Bill No. 253:

The Senate resumed consideration of Senate Bill No. 253.

The President announced that the question before the Senate is on the motion of Senator Lovejoy to indefinitely postpone Senate Bill No. 253.

On motion of Senator Thomas, the motion was laid on the table.

Senators Koontz, Dawson and Copeland demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll.

Senator Farquharson assumed the chair.

The Sergeant-at-Arms was instructed to bring the absent Senators to the floor of the Senate.

On motion of Senator Orndorff, the Senate proceeded under the call.

On motion of Senator Sieler, the following amendment was adopted:

Amend Sec. 23 by striking the entire section.

On motion of Senator Sieler, the following amendment was adopted:

Amend the title by striking the semi-colon (;) after the word "constitutionality", inserting in lieu thereof a period (.) and strike the balance of the title.

Senator Reardon assumed the chair.

Senators Henderson, McDonald and McMillan demanded the previous question.

The previous question was ordered.

President Meyers assumed the chair.

The Secretary partially called the roll on the final passage of Senate Bill No. 253, as amended.

Senator Kyle moved that the rules be suspended and that Senator Bloomer be excused.

Senator Lovejoy moved that when Senator Bloomer appears on the floor of the Senate he be required to cast his vote on the measure.

The motion by Senator Kyle carried.

The Secretary proceeded to call the roll on the final passage of Senate Bill No. 253, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Atkinson, Edwards, Farquharson, Had-don, Holt, Malstrom, Morgan, Murphy, Percival, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Voyce and Wanamaker—17.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Ferryman, Henderson, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Reardon, Roberts, Roup, Sieler, Stinson and Troy—27.

Absent or not voting: Senators Bloomer and Kerstetter—2.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Kyle gave notice that at the proper time tomorrow he would move for a reconsideration of the vote by which Senate Bill No. 253 failed to pass the Senate.

On motion of Senator Drumheller, the call of the Senate was ordered dispensed with.

Senate Bill No. 487:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 487, entitled: "An Act relating to taxation;" have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the bill by striking everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Except as hereinafter provided, the aggregate of all tax levies upon real and personal property by the state, municipal corporations, taxing districts and governmental agencies, now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty

per centum of the true and fair value of such property in money; and within and subject to the aforesaid limitation the levy by the state shall not exceed two mills to be used exclusively for the support of the University of Washington, Washington State College and the * * * * *State Colleges of Education*; the levy by any county shall not exceed ten mills including any levy for the county school fund required by law, the levy by or for any school district shall not exceed ten mills; the levy for any road district shall not exceed three mills, and the levy by any city or town shall not exceed fifteen mills: * * * * *Provided*, That nothing herein shall prevent levies at the rates provided by existing law by or for any port or power district: *Provided, further*, That the limitations imposed by this section shall not prevent the levy of additional taxes, not in excess of five mills per annum and without anticipation of delinquencies in payment of taxes, in an amount equal to the interest and principal payable in the next succeeding year on general obligation bonds, outstanding on December 6, 1934, issued by or through the agency of the state, or any county, city, town, or school district, nor the levy of additional taxes to pay interest on or toward the reduction, at the rate provided by statute, of the principal of county, city, town, or school district warrants outstanding on December 8, 1932; but the millage limitation of this proviso with respect to general obligation bonds shall not apply to any taxing district in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts: *Provided, further*, That any county, school district, city or town shall have the power to levy taxes at a rate in excess of the rate specified in this act, when authorized so to do by the electors of such county, school district, city or town by a three-fifths majority of those voting on the proposition at a special election, to be held in the year in which the levy is made, and not oftener than once in such year, in the manner provided by law for holding general elections, at such time as may be fixed by the body authorized to call the same, which special election may be called by the board of county commissioners, board of school directors, or council or other governing body of any city or town, by giving notice thereof for two successive weeks by publication and posting in the manner provided by law for giving notices of general elections, at which special election the proposition of authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "YES", and those opposed thereto to vote "NO": *Provided*, That the total number of persons voting at such special election shall constitute forty per cent of the voters in said taxing district who voted for the office of governor at the next preceding gubernatorial election.

Sec. 2. This act shall be referred and submitted to the people for their approval and ratification or rejection at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1940, by the officers and in the manner provided by section 5416 of Remington's Revised Statutes."

Amend the title by striking the whole thereof and inserting in lieu thereof the following:

"An Act relating to the taxation of real and personal property and limiting the aggregate annual rate of levy thereon for all purposes to forty mills, and submitting this act to the people for their approval or rejection at the general election in November, 1940."

A. M. MURFIN, *Chairman*.

We concur in this report: Alfred E. Holt, K. W. Reardon, Ralph Metcalf, Joseph D. Roberts, W. R. Orndorff, Harold P. Troy.

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 487, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: Pearl A. Wanamaker, F. L. Morgan, Kebel Murphy, N. P. Atkinson, James T. Sullivan.

On motion of Senator Murfin, the reports of the committee were received and the bill was read the third time.

On motion of Senator Sieler, the committee amendment to section 1 was adopted.

On motion of Senator Sieler, the committee amendment to section 2 was adopted.

On motion of Senator Kyle, the following amendment to the committee amendment was adopted:

Amend section 1, line 4, page 1 of the printed bill, after the word "be" and before the word "fifty" insert the words "not to exceed".

On motion of Senator Sieler, the committee amendment to the title was adopted.

Senators Keeler, Reardon and Troy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 487, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Henderson, Holt, Keeler, Keller, Koontz, Lovejoy, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson and Troy—29.

Those voting nay were: Senators Atkinson, Ferryman, Haddon, Kyle, Malstrom, McAulay, Morgan, Murphy, Sullivan, Thomas, Todd, Voyce and Wanamaker—13.

Absent or not voting: Senators Bloomer, Kerstetter, Klemgard and Maxwell—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Farquharson gave notice that at the proper time tomorrow she would move to reconsider the vote by which Senate Bill No. 487, as amended, passed the Senate.

Senate Bill No. 405:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a part of your Committee on Fisheries, to whom was referred Senate Bill No. 405, entitled: "An Act relating to fisheries, defining the area in Puget Sound in which fishing shall be permitted by pound nets, providing for licenses and fixing license fees, and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. E. EDWARDS, *Chairman.*

We concur in this report: Judson W. Shorett, T. C. Bloomer, Harold P. Troy.

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a part of your Committee on Fisheries, to whom was referred Senate Bill No. 405, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: K. W. Reardon, J. L. Keeler, Leroy L. Todd, Earl Maxwell.

On motion of Senator Edwards, the reports of the committee were received and the bill was read the third time.

Senator Reardon raised a question of consideration on Senate Bill No. 405. The Chair announced that the question before the Senate is: "Shall the question of consideration prevail?"

The question of consideration raised by Senator Reardon lost.

Senator Reardon moved the adoption of the following amendment:

Amend bill by striking section 7.

The motion by Senator Reardon lost.

The President announced that Senate Bill No. 405 is now on final passage.

Senator Drumheller assumed the chair.

Senators Voyce, Sullivan and Thomas demanded the previous question.

The previous question was ordered.

President Meyers assumed the chair.

The Secretary called the roll on the final passage of Senate Bill No. 405, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Koontz, Kyle, Malstrom, McDonald, McMillan, Morgan, Murfin, Murphy, Orndorff, Shorett, Sieler, Stinson, Sullivan, Troy and Voyce—26.

Those voting nay were: Senators Atkinson, Haddon, Lovejoy, McAulay, Metcalf, Mills, Percival, Reardon, Rosellini, Roup, Schroeder, Thomas, Todd and Wanamaker—14.

Absent or not voting: Senators Bloomer, Kerstetter, Klemgard, Maxwell, Moe and Roberts—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 364:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 364, entitled: "An Act relating to hunting and fishing by parties of two or more; providing regulations therefor; and prescribing penalties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. F. McAULAY, *Chairman*.

We concur in this report: D. E. McMillan, J. M. Koontz, Ted F. Schroeder, J. W. Henderson, Clifford O. Moe, Robert T. McDonald.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 364, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Todd and Voyce—30.

Those voting nay were: Senators Dawson, Farquharson, Holt, Kyle, Morgan, Murphy and Thomas—7.

Absent or not voting: Senators Bloomer, Drumheller, Duggan, Edwards, Ferryman, Maxwell, Reardon, Troy and Wanamaker—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Keller assumed the chair.

Senate Bill No. 355:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a part of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 355, entitled: "An Act to prohibit the operation of certain types of trailers upon the public highways of the State of Washington, and to regulate and prohibit the operation, upon the public highways of said state, of commercial motor vehicles, with certain exceptions, during weekends and holidays; providing penalties for the violation of the provisions hereof and declaring that this act shall take effect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman.*

We concur in this report: H. I. Kyle, C. F. Stinson, Earl Maxwell, Pearl A. Wanamaker, Harold P. Troy, J. W. Henderson, Howard Roup, Leroy L. Todd.

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a part of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 355, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

J. P. KELLER, *Chairman.*

We concur in this report: Geo. F. McAulay, T. C. Bloomer.

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a part of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 355, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation., *Chairman.*

We concur in this report: Herbert H. Sieler, Clifford O. Moe, J. M. Koontz, Lulu D. Haddon, Joe L. Keeler.

On motion of Senator Kyle, the reports of the committee were received and the bill was read the third time.

Senator Reardon moved that Senate Bill No. 355 be indefinitely postponed.

Senator Kyle moved that the motion by Senator Reardon be laid on the table.

The motion by Senator Kyle lost.

The Chair announced that the question before the Senate is on the motion by Senator Reardon to indefinitely postpone Senate Bill No. 355.

President Meyers assumed the chair.

The motion by Senator Reardon to indefinitely postpone consideration of Senate Bill No. 355 carried.

Senators Drumheller, Maxwell and Orndorff demanded a call of the Senate.

A call of the Senate was ordered, Senator Bloomer being absent.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll.

Senator Kyle moved that the Senate proceed under the call of the Senate. The motion carried.

Substitute Senate Bill No. 200:

Senator Kyle moved that Substitute Senate Bill No. 200 be made a special order of business for tomorrow morning at 11:00 o'clock a. m.

On motion of Senator Drumheller, the motion was laid on the table.

Senator Murphy assumed the chair.

Substitute Senate Bill No. 200, entitled: "An Act relating to public utility districts and the acquisition, operation and disposal of public utilities thereby; providing for elections; providing for the issuance, sale, redemption, funding and refunding of bonds or warrants thereby; specifying provisions and conditions thereof and covenants that shall be contained therein; providing for the registration and validation thereof; making the same legal securities for certain purposes; declaring the same to be negotiable instruments; repealing all acts or parts of acts in conflict herewith; and providing that this act shall take effect immediately.", was read the third time.

Senator Kyle moved the adoption of the following amendment:

Amend Substitute Senate Bill No. 200 by striking everything after the enacting clause and substituting therefor the following:

"Section 1. Whenever the commission of a public utility district, organized pursuant to section 11605 et seq. of Remington's Revised Statutes, shall deem it advisable that the district purchase, purchase and condemn, acquire or construct any public utility, or make any additions or betterments thereto or extensions thereof, the commission shall provide therefor by resolution, which shall specify and adopt the system or plan proposed and declare the estimated cost thereof, as near as may be, including as part of such cost funds necessary for working capital for the operation of such public utility by the district and for the payment of the expenses incurred in the acquisition or construction thereof, and shall specify whether general obligation bonds or utility revenue bonds or warrants are to be issued to defray such cost and the amount of such bonds or warrants.

Any additional works, plants or facilities subsequently acquired or constructed by the district for the same uses, whether or not physically connected therewith, shall be deemed additions or betterments to or extensions of such public utility.

Sec. 2. Whenever the commission shall deem it advisable to issue revenue bonds or warrants for the purpose of defraying the cost of such public utility or any additions or betterments thereto or extensions thereof, it shall have power as a part of such plan and system to create a special fund or funds for the sole purpose of defraying the cost of such public utility, or additions or betterments thereto or extensions thereof, into which special fund or funds it may obligate and bind the district to set aside and pay a fixed proportion of the gross revenues of such public utility, and all additions or betterments thereto or extensions thereof, or any fixed amount out of, and not exceeding a fixed proportion of, such revenues, or a fixed amount without regard to any fixed proportion, or an amount of such revenues equal to a fixed percentage of the aggregate principal amount of utility revenue bonds or warrants at any time issued against such special fund or funds, and to issue and sell utility revenue bonds or warrants payable as to both principal and interest only out of such fund or funds.

Such bonds or warrants shall be payable at such place or places, and at such time or times, both as to principal and interest, and shall bear interest at such rate or rates, payable semi-annually, and be sold for such price or prices, as the commission shall determine, provided that the aggregate interest cost to maturity of the money received for any issue of such bonds or warrants shall not exceed six per cent (6%) per annum.

Such bonds or warrants shall be signed by the president of the commission, attested by the secretary thereof, and the seal of the district shall be affixed to each bond: *Provided*, That the coupons, in lieu of being so signed and sealed, may have printed thereon a facsimile of the signature of such officers.

Sec. 3. Any resolution creating any such special fund and authorizing the issue of revenue bonds or warrants payable therefrom shall specify the title of such bonds or warrants as determined by the commission and may contain covenants by the district to protect and safeguard the security and the rights of the holders of such bonds and warrants, including covenants as to, among other things (a) the purpose or purposes to which the proceeds of sale of such bonds or warrants may be applied and the use and disposition thereof, (b) the use and disposition of the gross revenues of the public utility, and any additions or betterments thereto or extensions thereof, the cost of which is to be defrayed with such proceeds, including the creation and maintenance of funds for working capital to be used in the operation of the public utility or for renewals and replacements to the public utility, (c) the amount, if any, of additional bonds or warrants payable from such fund which may be issued and the terms and conditions on which such additional bonds or warrants may be issued, (d) the establishment and maintenance of adequate rates and charges for electric energy, water and other services, facilities and commodities sold, furnished or supplied by the public utility, (e) the operation, maintenance, management, accounting and auditing of the public utility, (f) the terms upon which such bonds or warrants or any of them may be redeemed at the election of the district, and (g) the terms and conditions upon which the public utility, or any part thereof, may be disposed of by the district, and the use and disposition of the proceeds thereof.

The provisions of this act and the provisions of chapter 1, Laws of 1931, not hereby superseded, and of any such resolution or resolutions shall be a contract with the holders of such bonds or warrants, and the obligations of the district and its commission under this act and said act and any such resolution or resolutions shall be enforceable by any bondholder or warrant holder by mandamus, or any other appropriate suit, action or proceeding, in any court of competent jurisdiction.

Sec. 4. Such utility revenue bonds or warrants shall be sold in such manner as the commission shall deem for the best interests of the district, and the commission may provide in any contract for the construction or acquisition of a public utility, or additions or betterments thereto or extensions thereof, that payment therefor shall be made only in such bonds or warrants at the par value thereof. In all other respects, the issuance of such utility revenue bonds or warrants and payment therefor shall be governed by the public utility laws for cities and towns.

Sec. 5. In creating any such special fund or funds, the commission shall have due regard to the cost of operation and maintenance of the plant or system as constructed or added to, and to any proportion or amount of the revenues previously pledged as a fund for the payment of utility revenue bonds or warrants, and shall not set aside into such special fund or funds a greater amount or proportion of the revenues and proceeds than, in its judgment, will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenues so previously pledged. Any such bonds or warrants and interest thereon, issued against any such fund, as herein provided, shall be a valid claim of the holder thereof only as against such special fund and the proportion or amount of the revenues pledged to such fund, but shall constitute a prior charge over all other charges or claims whatsoever, including the charge or lien of any general obligation bonds, against such fund and the proportion or amount of the revenues pledged thereto. Such bonds or warrants shall not constitute an indebtedness of such district within the meaning of the constitutional provisions and limitations. Each such bond or warrant shall state on its face that it is payable from a special fund, naming such fund and the resolution creating it.

Sec. 6. Prior to the issue and delivery of any revenue bonds, such bonds and a certified copy of the resolution authorizing the issuance thereof shall be forwarded by the commission to the state auditor together with any additional information that he may require, and when such bonds have been examined, they shall be registered by the state auditor in books to be kept by him for the purpose and a certificate of such registration shall be endorsed upon each bond and signed by the state auditor or a deputy appointed by him for the purpose. Such bonds, after having been so registered and bearing such certificate, shall be held, in every action, suit or proceeding in which their validity is or may be brought into question prima facie valid and bind-

ing obligations of the district in accordance with their terms notwithstanding any defects or irregularities in the proceedings for the organization of the district and the election of the commissioners thereof, or for the authorization and issuance of such bonds or in the sale, execution or delivery thereof, and the only defense which may be offered against the validity of such bonds shall be forgery or fraud.

Sec. 7. The commission of each district which shall have revenue bonds or warrants outstanding shall have the power and shall be required to establish, maintain and collect rates or charges for electric energy and water and other services, facilities and commodities sold, furnished or supplied by the district, which shall be fair and non-discriminatory and adequate to provide revenues sufficient for the payment of the principal of and interest on such bonds or warrants and all payments which the district is obligated to set aside in any special fund or funds created for such purpose, and for the proper operation and maintenance of the public utility owned by the district and all necessary repairs, replacements and renewals thereof.

Sec. 8. Whenever any district shall have outstanding any utility revenue bonds or warrants, the commission shall have power by resolution to provide for the issuance of funding or refunding bonds or warrants with which to take up, cancel, retire, fund or refund such outstanding utility revenue bonds or warrants, or any part thereof, at the maturity thereof, or before the maturity thereof, if the same be subject to call for prior redemption, such funding or refunding bonds or warrants and the interest thereon to be payable only out of a special fund to be created in the manner aforesaid and to be otherwise subject to the restrictions above set forth with respect to utility revenue bonds and warrants.

Sec. 9. All bonds and warrants issued under the authority of chapter 1, Laws of 1931, and this act shall be legal securities, which may be used by any bank or trust company for deposit with the state treasurer, or any county or city treasurer, as security for deposits, in lieu of a surety bond, under any law relating to deposits of public moneys and shall constitute legal investments for trustees and other fiduciaries in this state and for trust companies, savings banks and insurance companies doing business in this state. All such bonds and all coupons appertaining thereto shall be negotiable instruments within the meaning of and for all purposes of the negotiable instruments law of this state.

Sec. 10. If any section or provision of this act shall be adjudged to be invalid such adjudication shall not affect the validity of the act as a whole or any section, provision or part thereof not adjudged to be invalid.

Sec. 11. All acts or parts of acts in conflict herewith are hereby repealed.

Sec. 12. This act is necessary for the promotion of the public welfare and the support of the state government and its existing public institutions, and shall take effect immediately."

President Meyers assumed the chair.

Senators Maxwell, Orndorff and Murfin demanded the previous question.

The President announced the question now before the Senate is: "Shall the demand for the previous question be sustained?"

The demand for the previous question lost.

Senators Todd, Wanamaker, Dawson, Koontz, Reardon, Shorett, Maxwell and Drumheller demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Kyle failed to carry by the following vote:

Those voting aye were: Senators Atkinson, Farquharson, Kerstetter, Koontz, Kyle, Malstrom, McAulay, Mills, Moe, Morgan, Murphy, Schroeder, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—19.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett and Stinson—26.

Absent or not voting: Senator Bloomer—1.

The President announced that the amendment having failed to receive the constitutional majority was declared lost.

On motion of Senator Roberts, the following article taken from the Seattle Times of date February 28, 1939, was ordered made a part of the Journal, supporting his position on Substitute Senate Bill No. 200:

The Seattle Daily Times—Tuesday, February 28, 1939: "SHACKLED BUSINESS HELD ROAD TO DICTATORSHIP. Care Urged in Stabilization.

"Washington, Tuesday, Feb. 28.—(AP)—A government economist asserted to the monopoly investigating committee today that free competition was essential if this country is to avoid some form of authoritarian government.

"The witness was Willis J. Ballinger, adviser to the Federal Trade Commission. He warned that undesired ends might result from well-meant attempts to stabilize business.

"If, in an effort to prevent unfair trade practices, free business is permitted to organize and establish its own rules of action,' Ballinger declared, 'the result will inevitably be to convert all business into a monopoly system.

"This road leads directly to some form of authoritarian government. The abandonment of free capitalism here, as in other nations, will require the abandonment of democracy.

"The commission suggests, therefore, that this committee will do well to oppose any attempt that may be made to obtain its sanction for laws looking to the organization of free industry for price and production control.'

"Ballinger took the witness stand for a preliminary statement when the committee began a review of the trade commission's experience in enforcing laws against monopoly and unfair trade practices."

Senator Kyle moved the adoption of the following amendment:

Amend section 1, line 10, page 1 of the printed bill. Strike the word "maximum."

On motion of Senator Drumheller, the amendment was laid on the table.

Senator Kyle moved the adoption of the following amendment:

Amend section 1, line 10, page 1 of the printed bill. Insert period after the word "warrants," and strike balance of section.

Insert in lieu thereof the following:

"Any additional works, plants or facilities subsequently acquired or constructed by the district for the same uses, whether or not physically connected therewith, shall be deemed additions or betterments to or extensions of such public utility".

On motion of Senator Keller, the amendment was laid on the table.

Senator Kyle moved the adoption of the following amendment:

Amend section 4, line 36, page 3 of the printed bill, same being line 17, page 5 of the original bill. Insert a period after the word "towns", and strike balance of section.

Senator Drumheller moved that the amendment be laid on the table.

Senators Todd, Farquharson, Mills, Sullivan, Kerstetter, Kyle, Atkinson and Malstrom demanded a roll call.

A roll call was ordered.

The Secretary called the roll, and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett and Stinson—26.

Those voting nay were: Senators Atkinson, Farquharson, Kerstetter, Koontz, Kyle, Malstrom, McAulay, Mills, Moe, Morgan, Murphy, Schroeder, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—19.

Absent or not voting: Senator Bloomer—1.

Senator Kyle moved the adoption of the following amendment:

Amend section 5, line 6, page 4 of the printed bill. Strike the words "except labor" and insert in lieu thereof: "including the charge or lien of any general obligation bonds, against such fund and the proportion or amount of the revenues pledged thereto".

On motion of Senator Drumheller, the amendment was laid on the table.

Senator Kyle moved the adoption of the following amendment:

Amend section 6, line 11, page 4 of the printed bill. Strike the word "together" and all words thereafter down to and including the word "resolution", in lines 14 and 15.

On motion of Senator Drumheller, the amendment was laid on the table.

Senator Kyle moved the adoption of the following amendment.

Amend section 9, line 4, page 5 of the printed bill. Insert after the word "moneys" the following: "and shall constitute legal investments for trustees and other fiduciaries in this state and for trust companies, savings banks and insurance companies doing business in this state."

Senator Drumheller moved that the amendment be laid on the table.

Senators Todd, Farquharson, Mills, Sullivan, Kerstetter, Kyle, Atkinson, and Malstrom demanded a roll call.

A roll call was ordered.

The Secretary called the roll, and the motion by Senator Drumheller to lay the amendment on the table carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett and Stinson—26.

Those voting nay were: Senators Atkinson, Farquharson, Kerstetter, Koontz, Kyle, Malstrom, McAulay, Mills, Moe, Morgan, Murphy, Schroeder, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—19.

Absent or not voting: Senator Bloomer—1.

Senators Maxwell, Drumheller and Orndorff demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 200, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson and Troy—31.

Those voting nay were: Senators Farquharson, Kerstetter, Malstrom, McAulay, Mills, Moe, Morgan, Murphy, Sieler, Sullivan, Thomas, Todd, Voyce and Wanamaker—14.

Absent or not voting: Senator Bloomer—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Kyle gave notice that at the proper time on the next legislative day he would move to reconsider the vote by which Substitute Senate Bill No. 200 passed the Senate.

On motion of Senator Drumheller, the call of the Senate was dispensed with.

At 11:59 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 1:00 o'clock p. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTY-FOURTH DAY

AFTERNOON SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Friday, March 3, 1939.

The Senate was called to order at 1:00 o'clock p. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

The President Pro Tempore directed the Sergeant-at-Arms to notify Lieutenant Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

On motion of Senator Voyce, the reading of the journal of the previous day was dispensed with and it was approved.

Senators Reardon, Keeler and Henderson demanded a call of the Senate. A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present.

On motion of Senator Drumheller, the rules were suspended and the Senate referred back to the fourth order of business for the purpose of receiving a message from the Governor.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, March 3, 1939.

CLARENCE D. MARTIN, *Governor*.

Senators and Representatives of the Legislature:

In my message at the beginning of this session I urged you not to consider or enact a program of new taxes because the people were not in a mood for new functions of government and not in position to take up and sustain an extensive program of taxation. I suggested, however, that, if dictated by experience and necessity, I would be willing to cooperate in some revisions and elimination of exemptions to provide enough revenue to reasonably maintain essential services and meet urgent needs.

Now, after fifty days of discussion and consideration, there is proposed a budget bill for \$112,500,000—excluding highways and special funds—which is \$21,000,000 more than recommended in the Governor's revised budget. Frankly, I believe that is too large an increase, that the proposed additions are not distributed according to the most urgent and useful purposes, and that the proponents of such an increase will not propose and promote a new tax program to sustain it. I am satisfied it must be revised downward.

On the other hand, there is a definite and widespread feeling in the Legislature that we should not stand inflexibly on the rock-bottom budget. I have conferred with Senators and Representatives, responsible leaders of both political faiths, considered revisions and new estimates, and it appears necessary to rearrange the program to measurably do the things that seemingly are required by the needs of the times.

Therefore, I am communicating with you at this time to assure you of my cooperation in a joint effort to revise the budget and to provide revenues accordingly.

I concur, too, with those who feel that additional revenues should come from existing forms of taxation. I believe the fairest and most satisfactory approach would be to extend the 1935 revenue act to eliminate exemptions on foodstuffs and gasoline and perhaps add another cent to the tax on cigarettes. Such changes should provide approximately \$9,000,000 for the biennium.

But this revised program should not be adopted without two definite conditions:

First, that the additional revenue be allotted to balance the social security program—the expenditures being based on need—and to help and equalize the common schools. It seems to me that relief for the needy and common education are the most essential functions of government, and should come first.

Second, that it be made necessary to practice strict economy and thrifty management from top to bottom—all along the line.

Even with these additional revenues there will be the constant necessity for pruning, cutting and saving, as well as an improvement in industry and an upturn in business, if we are to reach the end of the next biennium without an excessive deficit. Therefore, it is imperative that you require all spending branches of government to refrain from making non-essential expenditures.

I assure you of my continued cooperation in this respect.

Cordially yours,

CLARENCE D. MARTIN,
Governor.

On motion of Senator Drumheller, it was ordered that the Message from the Governor be received and that it be referred to the Committees on Revenue and Taxation and on Appropriations.

On motion of Senator Kyle the Senate proceeded under the call of the Senate with the first order of business.

MOTION FOR RECONSIDERATION

Senator Kyle moved to reconsider the vote by which Senate Bill No. 200 passed the Senate.

Senator Drumheller moved that the motion by Senator Kyle be laid on the table.

Senators Morgan, Farquharson, Malstrom, Thomas, Voyce, Atkinson, Sullivan and Kerstetter demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Drumheller carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Henderson, Holt, Keeler, Keller, Klemgard, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett and Stinson—25.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Haddon, Kerstetter, Koontz, Kyle, Malstrom, McAulay, Mills, Moe, Morgan, Murphy, Schroeder, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—21.

MOTION FOR RECONSIDERATION

Senator Malstrom moved that the Senate now proceed to reconsider the vote by which Senate Bill No. 335 failed to pass the Senate.

Senators Maxwell, Drumheller and Orndorff demanded the previous question.

The previous question was ordered.

The motion by Senator Malstrom failed to carry.

MOTION FOR RECONSIDERATION

Senator Kyle moved that the Senate now reconsider the vote by which Senate Bill No. 253 failed to pass the Senate.

Senators Maxwell, Keeler and Orndorff demanded the previous question.

Senator Keeler moved that the motion by Senator Kyle be laid on the table.

Senators Morgan, Farquharson, Malstrom, Thomas, Voyce, Atkinson, Sullivan and Kerstetter demanded a roll call.

The President announced that the question before the Senate now is the motion by Senator Keeler to lay the motion of Senator Kyle on the table.

The Secretary called the roll and the motion by Senator Keeler to lay the motion by Senator Kyle on the table carried by the following vote.

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Henderson, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Reardon, Roberts, Roup, Shorett, Sieler and Troy—27.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Haddon, Holt, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Percival, Rosellini, Schroeder, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—19.

On motion of Senator Keller, the call of the Senate was ordered dispensed with.

MOTION FOR RECONSIDERATION

Senator Farquharson moved that the Senate now reconsider the vote by which Senate Bill No. 76 passed the Senate yesterday.

Senators Maxwell, Drumheller and Orndorff demanded a call of the Senate.

The President announced that the question now before the Senate is, "Shall the call of the Senate be sustained?"

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members of the Senate being present.

The Senate proceeded under the call.

Senators Maxwell, Orndorff, and Drumheller demanded the previous question.

The previous question was ordered.

The President announced that the question before the Senate is on the motion by Senator Farquharson to reconsider the vote by which Senate Bill No. 76 passed the Senate.

The motion by Senator Farquharson failed to carry.

On motion of Senator Drumheller the call of the Senate was ordered dispensed with.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 50, 88 and 114, have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Mary Farquharson, A. M. Murfin, W. C. Dawson, Monty Percival.

The report was ordered received.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 226, 227, 301 and 333, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Joseph D. Roberts, Robert T. McDonald, Paul G. Thomas.

The report was ordered received.

Senator Ferryman assumed the chair.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 383:

The Committee on Municipal Corporations Other Than First Class recommended that Senate Bill No. 383 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 279:

The Committee on Education recommended that Senate Bill No. 279 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 458:

A part of the Committee on Education recommended that Senate Bill No. 458 do pass.

A part of the Committee on Education recommended that Senate Bill No. 458 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 450:

A majority of the Committee on Roads and Bridges recommended that Senate Bill No. 450 do pass.

A minority of the Committee on Roads and Bridges recommended that Senate Bill No. 450 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Substitute House Bill No. 192:

The committee on Roads and Bridges recommended that Substitute House Bill No. 192 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 198:

The Committee on Liquor Control recommended that Engrossed House Bill No. 198 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 186:

The Committee on Liquor Control recommended that Senate Bill No. 186 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 271:

A part of the Committee on Liquor Control recommended that Senate Bill No. 271 do pass with certain amendments.

A part of the Committee on Liquor Control recommended that Senate Bill No. 271 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Educational Institutions, to whom was referred the Governor's Message relating to the appointment of George H. Gannon, Pullman, as a member of the Board of Regents to Washington State College, succeeding W. A. Ritz, resigned; appointed March 30, 1937, effective March 30, 1937; for the term ending March 9,

1941, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be confirmed.

MARY FARQUHARSON, *Chairman.*

We concur in this report: Alfred E. Holt, Kathryn E. Malstrom, Robert T. McDonald, Kebel Murphy, James T. Sullivan, Paul G. Thomas, Lulu D. Haddon, Gordon Klemgard, W. R. Orndorff, Judson W. Shorett.

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Educational Institutions, to whom was referred the Governor's Message relating to the appointment of George H. Gannon, Pullman, as a member of the Board of Regents to Washington State College, succeeding W. A. Ritz, resigned; appointed March 30, 1937, effective March 30, 1937; for the term ending March 9, 1941, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be not confirmed.

....., *Chairman.*

We concur in this report: A. M. MURFIN.

Senator Shorett moved that the reports of the committee be received and the appointment of George H. Gannon to the Board of Regents of Washington State College be confirmed.

The Secretary called the roll and the appointment of George H. Gannon to the Board of Regents of Washington State College was confirmed by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Duggan, Edwards, Farquharson, Ferryman, Haddon, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, McDonald, McMillan, Mills, Moe, Morgan, Murphy, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—33.

Those voting nay were: Senators Dawson, McAulay, Murfin, Orndorff, and Reardon—5.

Absent or not voting: Senators Atkinson, Drumheller, Henderson, Keller, Malstrom, Maxwell, Metcalf and Schroeder—8.

Senator Reardon assumed the chair.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred the Governor's Message relating to the appointment of Arthur W. Davis, Spokane, as a member of the Board of Regents to Washington State College, succeeding himself, term expired, appointed March 30, 1937, effective March 30, 1937, for the term ending March 9, 1943, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be confirmed.

MARY FARQUHARSON, *Chairman.*

We concur in this report: Alfred E. Holt, Kathryn E. Malstrom, A. M. Murfin, Kebel Murphy, James T. Sullivan, Gordon Klemgard, Paul G. Thomas, Lulu D. Haddon, Robert T. McDonald, W. R. Orndorff, Judson W. Shorett.

Senator Orndorff moved that the report of the committee be received and that the appointment of Arthur W. Davis to the Board of Regents of Washington State College be confirmed.

The Secretary called the roll and the appointment of Arthur W. Davis to the Board of Regents of Washington State College was confirmed by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Koontz, Kyle, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—36.

Absent or not voting: Senators Drumheller, Keller, Kerstetter, Klemgard, Malstrom, Maxwell, Moe, Murfin, Schroeder and Wanamaker—10.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred the Governor's Message relating to the appointment of Ben Perham, Yakima, as a member of the Board of Regents to Washington State College, succeeding himself, term expired, appointed March 30, 1937, effective March 30, 1937, for the term ending March 9, 1943, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be confirmed.

MARY FARQUHARSON, *Chairman.*

We concur in this report: Alfred E. Holt, Kathryn E. Malstrom, A. M. Murfin, Kebel Murphy, James T. Sullivan, Gordon Klemgard, Paul G. Thomas, Lulu D. Haddon, Robert T. McDonald, W. R. Orndorff, Judson W. Shorett.

On motion of Senator Ferryman the report was received.

Senator Kyle moved that the appointment of Ben Perham as a member of the Board of Regents of Washington State College be confirmed.

The Secretary called the roll and the appointment of Ben Perham to the Board of Regents of Washington State College was confirmed by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Farquharson, Ferryman, Henderson, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—29.

Absent or not voting: Senators Drumheller, Duggan, Haddon, Holt, Keeler, Keller, Kerstetter, Maxwell, McMillan, Metcalf, Moe, Murphy, Roup, Schroeder, Shorett, Sieler and Wanamaker—17.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred the Governor's Message relating to the appointment of W. D. Kirkpatrick, Bellingham, as a member of the Board of Trustees of Western Washington College of Education, succeeding himself, term expired, appointed June 14, 1937, effective June 14, 1937, for the term ending June 12, 1941, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be confirmed.

MARY FARQUHARSON, *Chairman.*

We concur in this report: Alfred E. Holt, Kathryn E. Malstrom, A. M. Murfin, Kebel Murphy, James T. Sullivan, Gordon Klemgard, Paul G. Thomas, Lulu D. Haddon, Robert T. McDonald, W. R. Orndorff, Judson W. Shorett.

Senator Percival moved that the report of the committee be received and that the appointment of W. D. Kirkpatrick as a member of the Board of Trustees of Western Washington College of Education be confirmed.

The Secretary called the roll and the appointment of W. D. Kirkpatrick as a member of the Board of Trustees of Western Washington College of Education was confirmed by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—31.

Absent or not voting: Senators Drumheller, Duggan, Farquharson, Holt, Keeler, Keller, Kerstetter, Maxwell, McMillan, Moe, Roup, Schroeder, Shorett, Sieler and Wanamaker—15.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred the Governor's Message relating to the appointment of Verne Branigin, Mount Vernon, as a member of the Board of Trustees of Western Washington College of Education, succeeding himself, term expired, appointed June 14, 1937, effective June 14, 1937, for the term ending June 12, 1943, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be confirmed.

MARY FARQUHARSON, *Chairman*.

We concur in this report: Alfred E. Holt, Kathryn E. Malstrom, A. M. Murfin, Kebel Murphy, James T. Sullivan, Gordon Klemgard, Paul G. Thomas, Lulu D. Haddon, Robert T. McDonald, W. R. Orndorff, Judson W. Shorett.

Senator Lovejoy moved that the report of the committee be received and that the appointment of Verne Branigin as a member of the Board of Trustees of Western Washington College of Education be confirmed.

The Secretary called the roll and the appointment of Verne Branigin as a member of the Board of Trustees of Western Washington College of Education was confirmed by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Keeler, Keller, Klemgard, Koontz, Lovejoy, Malstrom, McDonald, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—31.

Absent or not voting: Senators Drumheller, Duggan, Farquharson, Holt, Kerstetter, Kyle, Maxwell, McAulay, McMillan, Metcalf, Moe, Murphy, Roup, Shorett and Sieler—15.

The Senate referred back to the fifth order of business for the purpose of receiving Messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 188 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 43; also
Engrossed House Bill No. 269; also
Engrossed House Bill No. 327; also
Engrossed House Bill No. 346; also
Engrossed House Bill No. 438, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

The Speaker has signed Substitute House Bill No. 29; also
House Bill No. 37; also
House Bill No. 41; also
House Bill No. 60; also
House Bill No. 91; also
House Bill No. 110; also
House Bill No. 132; also
House Bill No. 134; also
House Bill No. 300, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 227; also
House Bill No. 314; also
House Bill No. 347; also
House Bill No. 369; also
House Bill No. 379; also
House Bill No. 389; also
House Bill No. 397; also
House Bill No. 399; also
House Bill No. 406; also
House Bill No. 466; also
House Bill No. 487; also
House Bill No. 536, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

House Bill No. 227, by Representative McQuesten (By Request), entitled: "An Act to regulate the sale, transportation, loading, packing, marketing and disposal of honey; to prevent fraud and deception therein; giving authority to the director to establish standards for honey; providing for a Washington state honey seal and its use; providing means of enforcement; and providing penalties."

The bill was read the first time, and on motion of Senator McMillan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Agriculture.

House Bill No. 314, by Representative Swegle, entitled: "An Act authorizing cities of the first and second class to sell unclaimed personal property in the possession of their police authorities, fixing the manner and sale thereof, and providing for the disposal of the proceeds of such sale, and amending sections 1, 3 and 4 of chapter 100 of the Laws of 1925, Extraordinary Session (sections 8999-1, 8999-3 and 8999-4 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 347, by Representative Reilly (Edward J.), entitled: "An Act relating to education; amending section 3 of chapter 28 of the Laws of 1933 (section 4719 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House Bill No. 369, by Representative Reilly (Edward J.), (By Request), entitled: "An Act relating to the appointment of police matrons; amending section 4 of chapter 15 of the Laws of 1893 (section 9285 of Remington's Revised Statutes); and repealing section 5 of chapter 15 of the Laws of 1893 (section 9286 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 379, by Representative Reilly (Edward J.), (By Request), entitled: "An Act relating to bonds issued by counties, cities and towns, and repealing all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator McAulay the rules were suspended, the bill was read the second time by title, and referred to the Committee on Banks and Banking.

House Bill No. 389, by Representative Rosellini, entitled: "An Act relating to bail, and to sureties upon recognizance."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 397, by Representative Smith (V. A.), entitled: "An Act relating to motor truck, trailer and semi-trailer fees, and amending section 17, chapter 188 of the Laws of 1937."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

House Bill No. 399, by Representative Riley (Edward F.), (By Departmental Request), entitled: "An Act relating to insurance; providing for the withdrawal of insurers from business; prescribing the procedure therefor; and amending chapter 49 of the Laws of 1911, as amended, (sections 7032 to 7298, inclusive of Remington's Revised Statutes) by adding thereto a new section to be known as section 81A."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, and referred to the Committee on Insurance.

House Bill No. 406, by Representative Butler, entitled: "An Act providing for an appropriation for the cost of the completion of the construction of a bridge across Columbia Slough from Puget Island in the Columbia River to

Cathlamet, Wahkiakum County, Washington; for certain appropriation facilities therefor; defining the power and duty of the director of highways; and declaring an emergency."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

House Bill No. 466, by Committee on Insurance, entitled: "An Act fixing the salary of the state insurance commissioner."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, and referred to the Committee on Insurance.

House Bill No. 487, by Representatives Moulton and Coe, entitled: "An Act relating to revenue and taxation and amending section 36 of chapter 180 of the Laws of 1935 (section 8370-36 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

House Bill No. 536, by Representatives Moulton and Coe, entitled: "An Act relating to interference by electrical lines and facilities with the service and efficiency of telephone and telegraph lines and facilities; giving the department of public service authority to order the elimination of such interference and to apportion the expenses involved in such elimination; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Drumheller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Utilities.

Engrossed House Bill No. 43, by Representative Pettus, entitled: "An Act relating to the safety and welfare of blind persons, regulating traffic upon public streets and highways, limiting the use of white canes or walking sticks, and providing penalties therefor."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 269, by Representative Kinnear (George C.), entitled: "An Act relating to official court reporters and repealing section 1, chapter 66, Laws of 1919 (section 42-13 of Remington's Revised Statutes), and amending section 4, chapter 126, Laws of 1913 (section 42-4 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 327, by Representative McQuesten, entitled: "An Act for relief of the Sokulk Indians, providing for their fishing in designated areas."

The bill was read the first time, and on motion of Senator Edwards the rules were suspended, the bill was read the second time by title, and referred to the Committee on Game and Game Fish.

Engrossed House Bill No. 346, by Representative Reilly (Edward J.), entitled: "An Act relating to education; creating a state school relief fund for the relief of needy school districts; prescribing procedure for obtaining such relief; defining powers and duties of certain state and county officers in connection therewith; and making appropriations from said state school relief fund and the current state school fund."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

Engrossed House Bill No. 438, by Representative Woodall, entitled: "An Act relating to the education of Indians, and providing for the disposition of certain moneys."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

At 2:30 o'clock p. m., on motion of Senator Drumheller, the Senate recessed until 3:45 o'clock p. m.

At 3:45 o'clock p. m. the Senate reconvened.

Senator Reardon in the chair:

GENERAL FILE

Senate Bill No. 113:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 113, entitled: "An Act relating to taxation amending sections 4, 11, 15(a), 17, 18, 19, 21, 25, 27, 32, 35, 45, 47, 84, 87, 89, 188, 193, 199, 210(a) and 219 of chapter 180, Laws of 1935; (sections 8370-4, 8370-11, 8370-15(a), 8370-17, 8370-18, 8370-19, 8370-21, 8370-25, 8370-27, 8370-32, 8370-35, 8370-45, 8370-47, 8370-84, 8370-87, 8370-89, 8370-188, 8370-193, 8370-199, 8370-210(a) and 8370-219, Remington's Revised Statutes); as amended by chapter 191, Laws of 1937, and chapter 227, Laws of 1937, repealing section 8 of chapter 180, Laws of 1935 (section 8370-8, Remington's Revised Statutes); and adding a new section thereto and declaring that this act shall take effect May 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend Sec. 6, subsection (f), page 10, line 7, of the original bill, the same being Sec. 6, subsection (f), page 6, line 14, of the printed bill, by striking the entire subsection.

Amend Sec. 11, page 13, line 29, of the original bill, the same being Sec. 11, page 8, line 12, of the printed bill, by striking the entire section.

Amend Sec. 14, page 16, line 22, of the original bill, the same being Sec. 14, page 9, line 35, of the printed bill, by striking the entire section and inserting in lieu thereof the following:

"Sec. 14. That section 82, chapter 180, Laws of 1935 (section 8370-82, Remington's Revised Statutes), be and the same hereby is amended to read as follows:

"Section 82. From and after the first day of May, 1935, there is hereby levied, and there shall be collected as hereinafter provided in this title, a tax upon the sale, use, consumption, handling or distribution of all cigarettes, in an amount equal to * * *
* * * one-tenth of one cent for each cigarette, unless the intended retail selling price for each cigarette shall be more than one cent, in which event, the tax shall be * * *
* * * twenty per cent of such intended retail selling price.

"(a) In order to enforce collection of the tax hereby levied, the tax commission is authorized and required to design and have printed stamps of such size and denominations as may be determined by the commission, said stamps to be affixed on the smallest container or package that will be handled, sold, used, consumed or distributed, to permit the commission to readily ascertain by inspection, whether or not such tax has been paid as provided in this title. Every person shall cause to be affixed on every package of cigarettes, as defined in this title, on which a tax is due, stamps of an amount equaling the tax due thereon before such person sells, offers for sale, uses, consumes, handles, removes, or otherwise disturbs and distributes the same;

"(b) Every wholesaler in this state shall immediately, after receipt of any of the articles taxed herein, cause the same to have the requisite denomination and amount of stamps affixed to represent the tax as stated herein; *Provided, however,* That any wholesaler engaged in interstate business, who shall furnish surety bond in a sum satisfactory to the commission, shall be permitted to set aside such part of his stock as may be necessary for the conduct of such interstate business without affixing the stamps required by this title. Said interstate stock shall be kept separate and apart from stamped stock. Every wholesaler shall, at the time of shipping or delivering any of the articles taxed herein, make a true duplicate invoice of the same which shall show full and complete details of the sale or delivery of the taxable articles, and shall retain the same subject to the use and inspection of the tax commission;

"(c) Every retailer shall, except as to those articles on which the tax has been paid by the proper affixing of stamps by a wholesaler, as herein provided, affix the stamps for the denomination and amount necessary to represent the tax on each individual package or container, the same to be done, in all cases, immediately upon receipt by the retailer of the unstamped articles;

"(d) Said stamps shall be affixed in such manner that they cannot be removed from the package or container without said stamp being mutilated or destroyed, which stamps so affixed shall be evidence of the tax imposed; and such stamps may be cancelled by the use of a rubber stamp bearing the certificate number of such wholesaler or retailer as shown by the certificate of registration issued to him by the tax commission, as provided in title XVIII of this set, and such stamps may be cancelled as soon as they shall be affixed to the package or container;

"(e) In the case of cigarettes contained in individual packages, usually sold to consumers, as distinguished from cartons or larger units, the stamps shall be affixed securely on the face of each individual package;

"(f) Wholesalers and retailers subject to the provisions of this title shall be allowed as compensation for their services in affixing the stamps herein required, a sum equal to * * * * three (3) per cent of the face value of the stamps purchased by them;

"(g) It is the intent and purpose of this title to levy a tax on all of the articles taxed herein, sold, used, consumed, handled or distributed within this state and to collect the same from the person who first sells, uses, consumes, handles or distributes the same in the State of Washington. It is further the intent and purpose of this title that whenever any of the articles herein taxed are given away for advertising or any other purpose whatsoever, the same shall be taxed in the same manner as if they were sold, used, consumed, handled or distributed in this state.

"(h) *The tax commission shall have authority to authorize the use of meter stamping machines for imprinting stamps, which imprinted stamps shall be in lieu of those otherwise provided for under this title, and if the same be authorized, shall provide reasonable rules and regulations with respect to the use thereof.*"

Amend Sec. 20, page 23, line 19, of the original bill, the same being Sec. 20, page 13, line 24, of the printed bill, after the word "within" and before the word "days" strike the word "ten" and insert in lieu thereof the word "twenty".

Amend Sec. 20, line 27, page 23 of the original bill, the same being Sec. 20, line 30, page 13 of the printed bill, being renumbered Sec. 24, after the word "such" and before the word "day" strike the word "ten" and insert in lieu thereof the word "twenty".

A. M. MURFIN, Chairman.

We concur in this report: W. R. Orndorff, Ralph Metcalf, Keiron W. Reardon, Alfred E. Holt, Joseph D. Roberts, Pearl A. Wanamaker.

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 113, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: James T. Sullivan, Kebel Murphy, N. P. Atkinson, Albert D. Rosellini.

On motion of Senator Murfin, the reports of the committee were received and the bill was read the third time.

President Meyers assumed the chair.

On motion of Senator McMillan, the following amendment was adopted:

Amend section 1, lines 12 and 13, page 2 of the original bill, being section 1, line 8, page 2 of the printed bill, by striking the words "one-twentieth" and inserting in lieu thereof "one-one hundredth".

Senator Murfin moved the adoption of the committee amendment to section 6, subsection (f), page 10, line 7, of the original bill.

Senators Keller, Reardon and Henderson demanded the previous question.

The previous question was ordered.

Senators Murfin, Keller and Orndorff demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present.

The President signed Substitute House Bill No. 29, House Bill No. 37, House Bill No. 41, House Bill No. 60 House Bill No. 91, House Bill No. 110, House Bill No. 132, House Bill No. 134, House Bill No. 300; also Senate Bill No. 50, Senate Bill No. 88, and Senate Bill No. 114.

On motion of Senator Reardon, the Senate proceeded under the call of the Senate.

Senators Kyle, Kerstetter, Sullivan, Atkinson, Thomas, Voyce, Murphy, and Morgan demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Murfin to amend Sec. 6, subsection (f), page 10, line 7 of the original bill, was adopted by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Troy and Wanamaker—33.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sullivan, Thomas, Todd and Voyce—13.

On motion of Senator Reardon, the call of the Senate was ordered dispensed with.

On motion of Senator Lovejoy, Senator Reardon was excused.

Senator Roberts moved the adoption of the following amendment:

Amend the bill, line 16, page 6 of the printed bill by inserting a new section to be known as Sec. 6½ and reading as follows:

"Sec. 6½. The tax imposed by title 3 of chapter 180 of the Laws of 1935 shall apply to the retail sales of all intoxicating liquor in Washington state liquor stores."

Senator Kerstetter moved the adoption of the following amendment to the amendment offered by Senator Roberts:

Raise from 2 to 5 per cent.

The motion by Senator Kerstetter failed to carry.

The President announced that the question is on the adoption of the amendment by Senator Roberts.

Senators Kyle, Murphy and Farquharson moved the previous question.

The previous question was ordered.

The motion by Senator Roberts carried.

On motion of Senator Murfin, the committee amendment to Sec. 11, page 13, line 29 of the original bill was laid on the table.

On motion of Senator Murfin, the committee amendment to Sec. 14, page 16, line 22 of the original bill was adopted.

Senator Duggan assumed the chair:

On motion of Senator Murfin, the committee amendment to Sec. 20, page 23, line 19, of the original bill was adopted.

On motion of Senator Murfin, the committee amendment to Sec. 20, line 27, page 23, of the original bill was adopted.

On motion of Senator Murfin, the following amendment was adopted:

Amend Sec. 6, lines 7 to 13, page 6 of the printed bill by striking sub-section "(e)".

On motion of Senator Wanamaker, the following amendments were adopted:

Amend Senate Bill 113 by adding a new section thereto to be known as Sec. 10 to be inserted immediately after Sec. 9, ending line 28, page 12 of the original bill, the same being Sec. 9, line 31, page 7 of the printed bill and immediately preceding Sec. 10, line 29, page 12 of the original bill, the same being Sec. 10, line 32, page 7 of the printed bill, to read as follows:

"Sec. 10. That section 31, chapter 180, Laws of 1935, as amended by section 1, chapter 191, Laws of 1937 (section 8370-31, Remington's Revised Statutes), be and the same hereby is amended to read as follows:

"Section 31. From and after the first day of May, 1935, there is hereby levied and there shall be collected from every person in this state a tax or excise for the privilege of using within this state any article of tangible personal property purchased at retail or produced or manufactured for commercial use. This tax will not apply with respect to the use of any article of tangible personal property purchased, produced or manufactured outside this state until the transportation of such article has finally ended or until such article has become commingled with the general mass of property of this state. *This tax shall apply to the use of every article of tangible personal property except as hereinafter provided, irrespective of whether the article or similar articles are manufactured within the State of Washington or are available for purchase within the State of Washington, and irrespective of any other condition.* Such tax shall be levied and collected in an amount equal to the value of the article used by the taxpayer multiplied by the rate of two per cent."

Renumber remaining sections accordingly.

Amend Sec. 10, line 15, page 13 of the original bill, the same being Sec. 10, line 1, page 8 of the printed bill, being re-numbered Sec. 11, by striking subsection (d) and the remainder of the entire section and inserting in lieu thereof the following:

"(d) * * * * * In respect to the use of rolling stock or aircraft or floating equipment of a common carrier, the first use of which within the state is actual use in conducting interstate or foreign commerce;

"(e) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the constitution of the state or under the constitution or laws of the United States."

Amend Senate Bill No. 113 by adding thereto two new sections to be known as Sec. 12 and Sec. 13 and to be inserted immediately after Sec. 10, ending line 28, page 13 of the original bill, the same being Sec. 10, line 11, page 8 of the printed bill, being re-numbered Sec. 11, and immediately preceding Sec. 11, line 29, page 13 of the original bill, the same being Sec. 11, line 12, page 8 of the printed bill, being re-numbered Sec. 14, to read as follows:

"Sec. 12. That chapter 180, Laws of 1935, be amended by adding thereto a new section following section 32 thereof to be designated as section 33 and to read as follows:

"Section 33. Every retailer maintaining a place of business within this state or a resident agent within this state and making sales of tangible personal property for use in this state not exempted under the provisions of section 32 of this title shall, at the time of making such sales, or if the use of the tangible personal property is not then taxable hereunder, at the time such use becomes taxable hereunder, collect the tax imposed by this act from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the tax commission.

"Sec. 13. That section 34, chapter 180, Laws of 1935, as amended by section 3, chapter 191, Laws of 1937 (section 8370-34, Remington's Revised Statutes), be and the same hereby is amended to read as follows:

"Section 34. Each taxpayer subject to the provisions of this title shall, on or before the fifteenth day of the month succeeding the end of the bi-monthly period in which the tax accrued, file a return with the commission showing in detail the total quantity of tangible personal property used by him within the state during the preceding bi-monthly period subject to the tax herein imposed, and such other information as the commission may deem pertinent. Each taxpayer shall remit to the commission with each such return the amount of tax shown thereon to be due.

"Every retailer required to collect the tax imposed under this title shall file returns as provided herein showing the total value of the articles sold by the retailer, the use of which became subject to the tax imposed by this act during the period for which the return is filed and shall show such other information as the tax commission may deem necessary for the proper administration of this act. The return shall be accompanied by a remittance of the amount of tax herein required to be collected by the retailer during the period covered by the return. Where the tax imposed under this title is collected by the retailer and a receipt is given therefor, the purchaser shall not be required to make any remittance with respect to the use of such property."

Amend Sec. 11, line 29, page 13 of the original bill, the same being Sec. 11, line 12, page 8 of the printed bill, being re-numbered Sec. 14, immediately after the comma (,) following the figures "1935" and before the parenthesis preceding the word "section", add the following: "as amended by section 4, chapter 191, Laws of 1937".

Amend Sec. 11, line 28, page 14 of the original bill, the same being Sec. 11, line 36, page 8 of the printed bill, being re-numbered Sec. 14, by striking subsection (c) and the remainder of the entire section and inserting in lieu thereof the following:

"(c) The word 'taxpayer' and the word 'purchaser' as used in this title, shall include all persons included within the meaning of the word 'buyer' and the word 'consumer' as defined in title III of this act.

"(d) The word 'retailer', as used in this title, shall mean every person engaged in the business of selling tangible personal property at retail.

"* * * * * (e) The meaning ascribed to words and phrases in titles I, II and III and all the provisions of titles XVIII, XIX and XX of this act, in so far as applicable, shall have full force and effect with respect to taxes imposed under the provisions of this title."

Senator Wanamaker moved the adoption of the following amendment:

Amend Senate Bill 113 by adding one new section thereto to be known as Sec. 2, to be inserted immediately after Sec. 1 ending line 24, page 3 of the original bill, the same being Sec. 1, line 40, page 2 of the printed bill, and immediately preceding Sec. 2, line 25, page 3 of the original bill, the same being Sec. 2, line 41, page 2 of the printed bill, to read as follows:

"Sec. 2. That section 5, chapter 180, Laws of 1935, as amended by section 2, chapter 227, Laws of 1937 (section 8370-5, Remington's Revised Statutes), be and the same hereby is amended to read as follows:

"Section 5. For the purpose of this title, unless otherwise required by the context:

"(a) The term 'tax year' or 'taxable year' shall mean either the calendar year, or the taxpayer's fiscal year when permission is obtained from the tax commission to use a fiscal year in lieu of the calendar year;

"(b) The word 'person' or word 'company,' herein used interchangeably, means any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint-stock company, business trust, municipal corporation, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit or otherwise;

"(c) The word 'sale' means any transfer of the ownership of, or title to, property for a valuable consideration *and includes any activity classified as a 'sale at retail' or 'retail sale' under subsection (d) of this section.* It includes conditional sale contracts, * * * * and any other contract under which possession of the property is given to the purchaser but title is retained by the vendor as security for the payment of the purchase price. It shall also be construed to include the furnishing of food, drink, or meals for compensation whether consumed upon the premises or not;

"(d) The term 'sale at retail' or 'retail sale' means every sale of tangible personal property other than a sale to one who purchases for the purpose of resale in the regular course of business or for the purpose of consuming the property purchased in the producing for sale a new article or substance, of which such property is an ingredient or component or a chemical used in processing same. The term 'sale at retail' or 'retail sale' shall be construed to include: (1) the production, fabrication or printing of tangible personal property for consumers *thereof* upon special order and shall also include the production, fabrication or printing of tangible personal property for consumers *thereof* who furnish either directly or indirectly the materials used in such work * * * *; (2) *the installation, cleaning, decorating, beautifying, repairing or otherwise altering or improving the personal property of consumers or for consumers thereof;* (3) *the renting or leasing of tangible personal property;* (4) *the sale of tangible personal property to persons who use such property in the business of erecting buildings or otherwise improving, altering, or repairing real property of others, or in performing public improvement contracts, irrespective of whether the work is performed by any such persons under lump sum contract, time and material contract, day labor or otherwise.* The term shall not be construed to include sales of feed to persons producing for sale, milk, eggs, wool, fur, meat or other substances obtained from livestock, animals or poultry;

"(e) The term 'sale at wholesale' or 'wholesale sale' means any sale of tangible personal property which is not a sale at retail;

"(f) The term 'gross proceeds of sales' means the value proceeding or accruing from the sale of tangible personal property without any deduction on account of the cost of property sold, the cost of materials used, labor costs, interest, discount paid, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses;

"(g) The term 'gross income of the business' means the value proceeding or accruing by reason of the transaction of the business engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes or any other expense whatsoever paid or accrued and without any deduction on account of losses;

"(h) The term 'value proceeding or accruing' means the consideration, whether money, credits, rights or other property expressed in terms of money, actually received or accrued. The term shall be applied, in each case, on a cash receipts or accrual basis according to which method of accounting is regularly employed in keeping the books of the taxpayer. The tax commission may provide by regulation that the value proceeding or accruing from sales on the installment plan under conditional contracts of sale may be reported as of the dates when the payments become due;

"(i) The word 'extractor' means every person who, from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or commercial use mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resource product, or fells, cuts or takes timber or other natural product, or takes, cultivates, or raises fish, shell fish or other sea or inland water foods or products; it does not include persons performing under contract the necessary labor or mechanical services for others;

"(j) The word 'manufacturer' means every person who, either directly or by contracting with others for the necessary labor or mechanical services, manufactures for sale or commercial use from his own materials or ingredients any articles, substances or commodities. When the owner of equipment or facilities furnishes, or sells to the customer prior to manufacture, all or a portion of the materials that become a part or whole of the manufactured article, the tax commission shall prescribe equitable rules for determining tax liability;

"(k) The term 'to manufacture' embraces all activities of a commercial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different or useful article of tangible personal property or substance of trade or commerce is produced *and shall include the production or fabrication of special made or custom made articles*;

"(l) The term 'commercial use' means the following uses of products by the extractor or manufacturer thereof;

"(1) Manufacturing of articles, substances or commodities from extracted products;

"(2) Leasing or renting of extracted or manufactured products;

"(3) Consigning, shipping or transferring extracted or manufactured products to another either without consideration or in the performance of contracts;

"(4) Any other use of products extracted or manufactured on a commercial scale under such rules and regulations as the tax commission shall prescribe;

"(m) The word 'business' includes all activities engaged in with the object of gain, benefit or advantage to the taxpayer or to another person or class, directly or indirectly;

"(n) The term 'engaging in business' means commencing, conducting or continuing in business and also the exercise of corporate or franchise powers as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business;

"(o) The term 'cash discount' means a deduction from the invoice price of goods or charge for services which is allowed if the bill is paid on or before a specified date;

"(p) The term 'tuition fee' shall be construed to include library, laboratory, health service and other special fees, and amounts charged for room and board by an educational institution when the property or service for which such charges are made is furnished exclusively to the students or faculty of such institution: *Provided*, That the term 'educational institution,' as used herein, shall be construed to mean only those institutions created or generally accredited as such by the state and offering to students an educational program of a general academic nature but not including specialty schools, business colleges, trade school or similar institutions;

"(q) The word 'successor' means any person who shall, through direct or mesne conveyance, purchase or succeed to the business, or portion thereof, or the whole or any part of the stock of goods, wares * * * , merchandise or fixtures or any interest therein of a taxpayer quitting, selling out, exchanging or otherwise disposing of his business. *Any person obligated to fulfill the terms of a contract shall be deemed a successor to any contractor.*"

On motion of Senator Kerstetter, the amendment was laid on the table.

Senator Sieler moved the adoption of the following amendment:

Amend section 5, lines 27 and 33, page 5, of the printed bill, strike the word "auctioneer".

The motion by Senator Sieler failed to carry.

On motion of Senator Sieler, the following amendment was adopted:

Amend section 7, line 29, page 6 of the printed bill by striking the word "larceny" and inserting in lieu thereof the word "misdemeanor".

Senator Sieler moved the adoption of the following amendment:

Amend section 13, line 21 and 22, page 9, of the printed bill, strike the words "Whether such failure be the result of his own acts or the result of acts or conditions beyond his control,".

The motion by Senator Sieler failed to carry.

Senator Rosellini moved the adoption of the following amendment:

Amend section 18, line 15 of the printed bill, page 12, after the word "commission" strike the remainder of the sentence and insert in lieu thereof the following: "may

assess against the taxpayer such additional amount found to be due, and if the tax commission finds that all or any part of the deficiency resulted from an intent to evade the tax payable hereunder, a penalty of fifty per cent of the additional tax found to be due may be added."

The motion by Senator Rosellini failed to carry.

Senator Stinson moved the adoption of the following amendment:

Amend the bill by adding thereto a new section to follow re-numbered section 14, to be known as section 15, and reading as follows:

"Sec. 15. Section 36, chapter 180 of the Laws of 1935 (section 8370-36 of Remington's Revised Statutes) as amended by section 10, chapter 227 of the Laws of 1937 is hereby amended to read as follows:

"Section 36. From and after the first day of May, 1935, there is hereby levied and there shall be collected from every person a tax for the act or privilege of engaging within this state in any one or more of the businesses herein mentioned. Such tax shall be equal to the gross operating revenue of the business, multiplied by the rate set out after the business, as follows:

"I. Railroad, express, railroad car, water distribution, light and power, telephone and telegraph businesses: Three per cent: *Provided, however, That a common carrier railroad operating as a plant facility to the extent of eighty per cent or more of its business shall pay a tax of one-fourth of one per cent on such eighty per cent or more of its business and three per cent on all other business;*

"II. Gas distribution business: Two per cent;

"III. Urban transportation business: One half of one per cent;

"IV. Vessels under sixty-five (65) feet in length operating upon the waters within the State of Washington: One half of one per cent;

"V. Highway transportation and all public service businesses other than ones mentioned above: One and one half per cent."

Senator Morgan moved the adoption of the following amendment to the amendment offered by Senator Stinson:

Amend the amendment by striking the words "one and one-half per cent" and inserting the words "three per cent".

On motion of Senator Shorett, the amendment by Senator Morgan was laid on the table.

The chair announced that the question now before the Senate is the adoption of the amendment offered by Senator Stinson.

The motion by Senator Stinson carried.

Senators Drumheller, Orndorff and Keller moved the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 113, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Roberts, Roup, Shorett, Sieler, Stinson, Troy and Wanamaker—31.

Those voting nay were: Senators Atkinson, Farquharson, Kerstetter, Malstrom, Morgan, Murphy, Rosellini, Sullivan, Thomas and Todd—10.

Absent or not voting: Senators Bloomer, Kyle, Reardon, Schroeder and Voyce—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the rules were suspended and Senate Bill No. 113 was ordered engrossed and immediately transmitted to the House.

Senate Bill No. 469:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate Bill No. 469, entitled: "An Act relating to the registration of voters, providing for deputy registrars and for payment of expenses of registration, and amending section 4, chapter 1, Laws of 1933 (section 5114-4, Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

KEBEL MURPHY, *Chairman.*

We concur in this report: Chapin A. Mills, James T. Sullivan, Fred S. Duggan, A. E. Edwards, Pearl A. Wanamaker, Howard Roup, Monty Percival, H. I. Kyle.

On motion of Senator Murphy, the report of the committee was received and the bill was read the third time.

President Meyers assumed the chair.

Senators Drumheller, Orndorff and Duggan demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 469, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Koontz, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas and Wanamaker—35.

Absent or not voting: Senators Bloomer, Kerstetter, Klemgard, Kyle, Maxwell, McDonald, Reardon, Roberts, Todd, Troy and Voyce—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving committee reports.

REPORTS OF STANDING COMMITTEES**House Bill No. 407:**

The Committee on Insurance recommended that House Bill No. 407 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 385:

The Committee on Insurance recommended that House Bill No. 385 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 368:

The Committee on Insurance recommended that House Bill No. 368 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 236:

The Committee on Agriculture recommended that House Bill No. 236 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 388:

The Committee on Counties and County Boundaries recommended that Senate Bill No. 388 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 457:

The Committee on Counties and County Boundaries referred Senate Bill No. 457 back to the Senate without recommendation.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 164:

The Committee on Judiciary recommended that Senate Bill No. 164 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 441:

The Committee on Judiciary recommended that Senate Bill No. 441 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 482:

The Committee on Claims and Auditing recommended that Senate Bill No. 482 do pass as amended.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 483:

The Committee on Claims and Auditing recommended that Senate Bill No. 483 do pass as amended.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 112:

The Committee on Railroads and Transportation recommended that Senate Bill No. 112 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 536:

The Committee on Public Utilities recommended that House Bill No. 536 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

GENERAL FILE

Senate Bill No. 408:

The Secretary read:

REPORT OF STANDING COMMITTEESenate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Commerce and Manufacturing, to whom was referred Senate Bill No. 408, entitled: "An Act relating to macaroni products; bringing the laws of this State into conformity with regulations of the Federal Trade Commission; regulating the manufacture and distribution of macaroni products; defining terms; providing for permits and certificates and the procedure for revocation or suspension thereof; establishing standards for the prevention of frauds and the protection of public health; and prescribing penalties.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. C. Dawson, *Chairman.*

We concur in this report: Albert D. Rosellini, Lulu D. Haddon, Ted F. Schroeder, Joseph D. Roberts.

On motion of Senator Dawson the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 408, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy and Wanamaker—33.

Those voting nay were: Senators Duggan and Morgan—2.

Absent or not voting: Senators Bloomer, Keller, Klemgard, Kyle, Maxwell, McDonald, Murphy, Reardon, Roup, Todd and Voyce—11.

The bill having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 11:

The Secretary read:

REPORT OF STANDING COMMITTEESenate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred Senate Bill No. 11, entitled: "An Act relating to the installation, location, and inspection of telephone meters, amending section 37, chapter 117 of the Session Laws of 1911, and amending chapter 223 of the Session Laws of 1929 by adding thereto one new section to be known as section 2.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, page 2, lines 7 to 13 inclusive, the same being section 1, page 1, lines 25 and 26 and page 2, lines 1, 2 and 3 of the printed bill by striking the following: "*and shall be located on or adjacent to the telephone subscriber's premises and be open for inspection of the telephone subscriber, and shall be actuated or controlled by the telephone subscriber's use of such telephone service; unless the telephone subscriber shall consent to other location of the service meter and authorize its actuation without such telephone subscriber's use or control.*" and insert in lieu thereof the following: "*and shall be actuated only by the use of the instruments of regular subscribers.*"

Amend section 1, page 2, lines 20, 21 and 22 of the original bill, the same being section 1, page 2, lines 8, 9 and 10 of the printed bill by striking the following: "and establish a schedule of fees to be charged therefor under such rules as it may prescribe and deem necessary for the maintenance of lawful rate schedules."

Amend section 2 by striking the whole thereof and inserting in lieu thereof the following:

"SEC. 2. This act is necessary for the preservation of the public peace, health and safety and the support of the state government and its existing institutions and shall take effect immediately."

JOSEPH DRUMHELLER, *Chairman.*

We concur in this report: Fred S. Duggan, A. M. Murfin, John H. Ferryman, Joe L. Keeler, Paul G. Thomas, Howard Roup, Ralph Metcalf, T. C. Bloomer.

On motion of Senator Drumheller, the report of the committee was received and the bill was read the third time.

On motion of Senator Sullivan, the committee amendments were adopted.

On motion of Senator Sieler, the following amendment was adopted:

Amend the title by striking the period (.) at the end of the title and adding the following: "and declaring an emergency."

The Secretary called the roll on the final passage of Senate Bill No. 11, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Orndorff, Percival, Rosellini, Schroeder, Shorette, Sieler, Stinson, Sullivan, Thomas, Troy and Wanamaker—35.

Absent or not voting: Senators Bloomer, Holt, Keller, Kyle, Murfin, Murphy, Reardon, Roberts, Roup, Todd and Voyce—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 372:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 372, entitled: "An Act relating to group life insurance and repealing chapter 300 of the Laws of 1927 and chapter 129 of the Laws of 1929.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, of the original bill, the same being section 1 of the printed bill, by striking the whole thereof and inserting in lieu thereof the following:

"Section 1. Group life insurance is hereby declared to be that form of life insurance covering not less than twenty-five (25) employees with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer or by the employer and the employees jointly, and insuring all of said employees, or all of any class or classes thereof determined by the conditions pertaining to the employment, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the employer, except, that when the premium is to be paid by the employer and employees jointly, and the benefits of the policy are offered to all eligible employees, not less than seventy-five per centum (75%) of such employees may be so insured. The term "employees" may include the officers, managers and employees of subsidiary or affiliated corporations, and the individual proprietors, partners and employees of affiliated

individuals and firms, when the business of such subsidiary or affiliated corporations, firms or individuals, is controlled by a common employer through stock ownership, contract or otherwise."

Amend Sec. 2, subsection (c), line 20, page 2 of the original bill, the same being Sec. 2, sub-section (c), line 9, page 2 of the printed bill by striking the whole thereof and inserting in lieu thereof the following:

"Life insurance covering the members of any labor union, written under a policy issued to such union which shall be deemed to be the employer for the purposes of this act, the premium on which is to be paid by the union or by the union and its members jointly, and insuring only all of its members who are actively employed, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the union or its officials; provided that where the insurance policy is cancellable at the end of any policy year at the option of the insurance company or the basis of premium rates may be changed by the insurance company at the beginning of any policy year, all members of a labor union may be insured; *Provided, further,* That when the premium is to be paid by the union and its members jointly and the benefits are offered to all eligible members, not less than seventy-five per centum (75%) of such members may be so insured."

Amend Sec. 2, sub-section (e), line 19, page 3 of the original bill, the same being Sec. 2, sub-section (e), line 32, page 2 of the printed bill by striking the word "be" and inserting in lieu thereof the word "become".

Amend Sec. 5, page 5, line 19 of the original bill, the same being Sec. 5, page 3, line 35 of the printed bill by striking the entire sentence beginning with the words "No domestic life" down to and including the words "insurance commissioner" and inserting in lieu thereof the following:

"No domestic life insurance company shall issue any policy of group life insurance, the premium for which shall be less than the net premium based on the American men ultimate table of mortality, with interest at three and one-half per centum (3½%) per annum, plus a loading, the formula for the computation of which shall be approved by the insurance commissioner, and no policy providing for the premiums being paid by the union or association and members jointly shall be issued under subdivisions (c) and (d) of this act where the amount of premium to be contributed by each such member exceeds \$1.00 per month per \$1,000.00 of insurance."

ROBERT T. McDONALD, *Chairman.*

We concur in this report: W. C. Dawson, Kebel Murphy, C. F. Stinson, W. R. Orndorff, H. I. Kyle.

On motion of Senator McDonald, the report of the committee was received and the bill was read the third time.

On motion of Senator Wanamaker, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 372, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy and Wanamaker—37.

Absent or not voting: Senators Bloomer, Duggan, Kyle, McMillan, Mills, Reardon, Roberts, Todd and Voyce—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wanamaker, the rules were suspended and Senate Bill No. 372 was ordered engrossed and immediately transmitted to the House.

Senate Bill No. 261:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Municipal Corporations Other Than First Class, to whom was referred Senate Bill No. 261, entitled: "An Act relating to certain port districts; authorizing the acquisition or construction of shipyards, and borrowing of money and the issuance of bonds therefor; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CHAS. F. STINSON, *Chairman*.

We concur in this report: Mary Farquharson, A. M. Murfin, F. L. Morgan, Herbert H. Sieler, Thomas Voyce, Leroy L. Todd.

On motion of Senator Stinson, the report of the committee was received and the bill was read the third time.

Senators Dawson, Copeland and Haddon demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 261, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Atkinson, Ferryman, Holt, Kyle, Lovejoy, Malstrom, Maxwell, Murphy, Percival, Roberts, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Troy and Wanamaker—17.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Farquharson, Haddon, Henderson, Keeler, Kerstetter, Klemgard, Koontz, McAulay, McDonald, Metcalf, Mills, Morgan, Orndorff, Roup and Stinson—19.

Absent or not voting: Senators Bloomer, Edwards, Keller, McMillan, Moe, Murfin, Reardon, Sieler, Todd and Voyce—10.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Farquharson gave notice that at the proper time tomorrow she would move to reconsider the vote by which Senate Bill No. 261 failed to pass the Senate.

Senate Bill No. 456:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Forestry and Logged-Off Lands, to whom was referred Senate Bill No. 456, entitled: "An Act relating to the cooperative management of state forest board lands and state granted lands with national forest and private timber lands in a sustained yield management unit.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

TED F. SCHROEDER, *Chairman*.

We concur in this report: Ralph Metcalf, Alfred E. Holt, Pearl A. Wanamaker.

On motion of Senator Schroeder, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 456, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Farquharson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Moe, Morgan, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Troy and Wanamaker—32.

Absent or not voting: Senators Bloomer, Duggan, Edwards, Holt, Keller, Klemgard, Koontz, McMillan, Mills, Murfin, Reardon, Stinson, Todd and Voyce—14.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 438:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 438, entitled: "An Act relating to public health; providing for the preparation of county budgets for county public health work, authorizing certain expenditures and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. W. HENDERSON, *Chairman*.

We concur in this report: Lulu D. Haddon, G. B. Kerstetter, Geo. A. Lovejoy, Paul G. Thomas, Henry J. Copeland.

On motion of Senator Henderson, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 438, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Maxwell, McAulay, McDonald, Metcalf, Murfin, Orndorff, Percival, Roberts, Schroeder, Shorett, Sullivan, Thomas, Troy and Wanamaker—29.

Those voting nay were: Senators Dawson, Morgan and Murphy—3.

Absent or not voting: Senators Bloomer, Drumheller, Koontz, Malstrom, McMillan, Mills, Moe, Reardon, Rosellini, Roup, Sieler, Stinson, Todd and Voyce—14.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wanamaker, the rules were suspended and Senate Bill No. 438 was ordered immediately transmitted to the House.

Senate Bill No. 374:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 374, entitled: "An Act relating to the prevention of congenital syphilis; to take effect January 2, 1940.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. W. HENDERSON, *Chairman*.

We concur in this report: Robert T. McDonald, Henry J. Copeland, Lulu D. Haddon, Paul G. Thomas, Geo. A. Lovejoy.

Senate Chamber,
Olympia, Wash., February 21, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 374, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: G. B. Kerstetter.

On motion of Senator Henderson, the reports of the committee were received and the bill was read the third time.

Senators Ferryman, Keeler and Haddon demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 374, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, McAulay, Metcalf, Morgan, Murfin, Murphy, Percival, Roberts, Schroeder, Sullivan, Thomas, Troy and Wanamaker—27.

Those voting nay were: Senators Kerstetter, Malstrom, Maxwell, Orndorff and Shorett—5.

Absent or not voting: Senators Bloomer, Drumheller, Duggan, McDonald, McMillan, Mills, Moe, Reardon, Rosellini, Roup, Sieler, Stinson, Todd and Voyce—14.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 121; also
House Bill No. 224; also
House Bill No. 240; also
House Bill No. 348; also
House Bill No. 401; also

House Bill No. 415; also
 House Bill No. 458; also
 House Bill No. 477; also
 House Bill No. 521; also
 House Bill No. 565; also

House Joint Memorial No. 21; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
 Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 189 and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*

At 6:45 o'clock p. m., on motion of Senator Orndorff the Senate recessed until 10:00 o'clock p. m., this evening.

EVENING SESSION

The Senate was called to order at 10:00 o'clock p. m., by Senator Orndorff. The Chair announced that the Senate would be at ease, subject to the call of the Chair.

At 10:20 o'clock p. m., the Senate was called to order by Senator Keeler. Senator Orndorff moved that the Senate be at ease for fifteen minutes.

The Chair announced that there being no objection the Senate would be at ease for fifteen minutes.

At 10:25 o'clock p. m., the Senate was called to order by President Meyers.

The Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
 Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bills No. 76, 11, 335 and 487, have compared same with the original bills and find them correctly engrossed.

Respectfully Submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Joseph D. Roberts, Robert T. McDonald, Harold P. Troy, Paul G. Thomas.

The report was ordered received.

REPORTS OF STANDING COMMITTEES

Senate Bill No. 350:

A part of the Committee on Appropriations recommended that Senate Bill No. 350 do pass.

A part of the Committee on Appropriations recommended that Senate Bill No. 350 do not pass.

A part of the Committee on appropriations reported Senate Bill No. 350 back to the Senate without recommendation.

The reports of the committee, together with the bill were placed on general file.

Substitute House Bill No. 156:

A part of the Committee on Appropriations recommended that Substitute House Bill No. 156 do pass.

A part of the Committee on Appropriations recommended that Substitute House Bill No. 156 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senate Bill No. 452:

The Committee on Appropriations recommended that Senate Bill No. 452 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 381:

The Committee on State Granted, School and Tide Lands recommended that House Bill No. 381 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 285:

The Committee on State Granted, School and Tide Lands recommended that House Bill No. 285 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 399:

The Committee on Insurance recommended that House Bill No. 399 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 466:

The Committee on Insurance recommended that House Bill No. 466 do pass.

The report of the committee, together with the bill, was placed on general file.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

Senator McMillan assumed the chair.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

The House has passed Engrossed Substitute House Bill No. 242; also Engrossed House Bill No. 364; also Engrossed House Bill No. 380; also Engrossed House Bill No. 393; also Engrossed House Bill No. 473; also Engrossed House Bill No. 524; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

The House has passed House Bill No. 243; also
House Bill No. 244; also
House Bill No. 287; also
House Bill No. 298; also
House Bill No. 299; also
House Bill No. 535; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

GENERAL FILE

Senate Bill No. 427:

On motion of Senator Thomas, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 427.

The bill was considered in the committee of the whole, Senator Duggan in the chair, and reported back to the Senate with the recommendation that it be made a special order of business for 2:00 o'clock p. m., tomorrow.

On motion of Senator Duggan, the report of the committee was adopted.

Senate Bill No. 467:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Social Security, to whom was referred Senate Bill No. 467, entitled: "An Act relating to unemployment; providing for the relief of unemployed persons by making available funds for the sponsoring of public works and work relief projects on the part of the state and its political subdivisions; defining the duties of certain officers in relation thereto, making an appropriation therefor, and declaring an emergency whereby the act shall take effect April 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the bill by striking everything after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The federal government for the relief of unemployment has made and will continue to make available to the state and its political subdivisions funds for public works and work relief projects. The political subdivisions of the state are financially unable to take full advantage of federal grants for such purposes. Therefore, in order to insure the continuance of this program and the benefits accruing therefrom, it is necessary that the state assist counties, municipalites and school districts in the sponsorship of federal public works and work relief projects and this act is enacted in furtherance of that purpose.

"SEC. 2. For the purpose of assisting counties, school districts, cities and towns and other municipal corporations in sponsoring public works and work relief projects, and for emergency grants-in-aid to counties for general assistance purposes, there is hereby appropriated from the general fund to the state social security committee for the biennium ending March 31, 1941, the sum of three million dollars (\$3,000,000).

"SEC. 3. The moneys appropriated by this act shall be allocated from time to time by the social security committee on application of counties and other sponsoring agencies for grants-in-aid. The committee shall have full discretion with respect to the allocation of such funds. It shall consider each application upon its merits and may require the agency applying for a grant-in-aid to submit such data as the committee may deem necessary to enable it to make a proper distribution of the available moneys, taking into consideration the financial condition of the agency applying for the grant, the number of unemployed persons who will be benefited thereby and such other factors as the committee may deem pertinent. Grants-in-aid allowed by the committee under this act shall be paid by warrant of the state auditor at such intervals and in such manner as

may be determined by the committee. The committee shall have power to require such reports and accounts with respect to funds allocated under this act as it may deem requisite to the efficient administration thereof.

"Sec. 4. This act is necessary for the preservation of the public peace, health and safety, support of the state government and its existing public institutions and shall take effect April 1, 1939."

Amend the title by striking the same and inserting in lieu thereof the following:

"An Act relating to unemployment; providing for the relief of unemployed persons by making available funds for the sponsoring of public works and work relief projects on the part of the State and its political subdivisions, and by emergency grants-in-aid to counties for general assistance purposes defining the duties of certain officers in relation thereto; making an appropriation, and declaring an emergency whereby the act shall take effect April 1, 1939."

J. M. KOONTZ, *Chairman*.

We concur in this report: Earl Maxwell, G. B. Kerstetter, John H. Ferryman, Fred S. Duggan, James T. Sullivan, A. E. Edwards, Pearl A. Wanamaker, C. F. Stinson, Kebel Murphy, Joe L. Keeler, Joseph Drumheller.

On motion of Senator Drumheller, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 467.

The bill was considered in the committee of the whole, Senator Duggan in the chair, and reported back to the Senate with the recommendation that it do pass, as amended.

On motion of Senator Duggan, the report of the committee of the whole was adopted.

On motion of Senator Maxwell, the committee amendments read in the committee of the whole were adopted.

Senator Maxwell moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Murphy, Thomas and Keeler demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 467, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Those voting nay were: Senator Morgan—1.

Absent or not voting: Senators Drumheller, McAulay, Reardon, Shorett and Stinson—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 457:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 457, entitled: "An Act relating to the establishment of county purchas-

ing divisions; authorizing the board of county commissioners therein to appoint purchasing agents; describing his powers and duties; fixing his term of office; requiring bond; and prescribing penalties.", have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

HOWARD ROUP, *Chairman*.

We concur in this report: Clifford O. Moe, F. L. Morgan, John H. Ferryman, J. P. Keller.

On motion of Senator Roup, the report of the committee was received and the bill was read the third time.

On motion of Senator Kyle the following amendment was adopted:

Amend section 1 in line 4 and 5, strike the sentence beginning with the words "No person."

Senator Murphy moved that this matter be deferred until the next legislative day.

On motion of Senator Kyle, the motion by Senator Murphy was laid on the table.

On motion of Senator McDonald, Senate Bill No. 457 was indefinitely postponed.

President Meyers assumed the chair.

Senate Bill No. 421, entitled: "An Act relating to motor vehicles; relating to the issuance of license registration and vehicle license plates; providing for fuel inspection; defining the powers and duties of certain state and other officers; defining terms; amending chapter 188 of the Session Laws of 1937; and declaring an emergency.", was read the third time.

On motion of Senator Sieler, the following amendment was adopted:

Amend Sec. 2 by striking the entire section.

On motion of Senator Sieler, the following amendment was adopted:

Amend the title by placing a period (.) after the figures "1937" and strike the balance of the title " ; and declaring an emergency."

Senator Kerstetter moved that Senate Bill No. 421 be indefinitely postponed.

On motion of Senator Klemgard, the motion by Senator Kerstetter was laid on the table.

On motion of Senator Sieler, the following amendment was adopted:

Amend section 1, line 2, page 2, by striking the period (.) at the end of the section and add "not later than thirty days after such vehicle is brought into this state."

The Secretary called the roll on the final passage of Senate Bill No. 421, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McDonald, McMillan, Moe, Orndorff, Percival, Roup, Schroeder, Shorett, Sieler, Troy, Voyce and Wanamaker—28.

Those voting nay were: Senators Atkinson, Duggan, Ferryman, Kerstetter, Malstrom, Metcalf, Mills, Morgan, Murfin, Murphy, Roberts, Rosellini, Sullivan, Thomas and Todd—15.

Absent or not voting: Senators McAulay, Reardon and Stinson—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 375:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Forestry and Logged-Off Lands, to whom was referred Senate Bill No. 375, entitled: "An Act relating to the state forest board and the members thereof, and amending section 1 of chapter 118 of the Laws of 1933 (section 5812-1 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

TED F. SCHROEDER, *Chairman*.

We concur in this report: Joe L. Keeler, Harold P. Troy, Ralph Metcalf, Alfred E. Holt.

On motion of Senator Schroeder, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 375, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Bloomer, Duggan, Maxwell, McAulay, McMillan, Reardon and Stinson—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 169:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations, to whom was referred Senate Bill No. 169, entitled: "An Act to prevent waste of crude petroleum oil, natural gas, and products thereof, and underground waters, as defined in this act and in furtherance thereof, requiring the director of conservation and development to administer and enforce the same; defining the powers and duties of certain officers; prohibiting certain acts; authorizing him to prescribe rules, regulations and orders; providing penalties for the violation of the provisions of this act, and of the rules, regulations and orders of the director; levying a tax on the proceeds of oil and gas to pay the cost of the administration and enforcement of this act and making an appropriation.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: John H. Ferryman, Chapin A. Mills, Alfred E. Holt, Monty Percival, Paul G. Thomas, Howard Roup, A. E. Edwards, Geo. A. Lovejoy.

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations, to whom was referred Senate Bill No. 169, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Henry J. Copeland, Robert T. McDonald, Gordon Klemgard, W. C. Dawson, Joseph Drumheller, Chapin A. Mills, Henry J. Copeland.

On motion of Senator Shorett, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 169.

The bill was considered in the committee of the whole, Senator Duggan in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Shorett, the report of the committee was adopted.

On motion of Senator Drumheller, the following amendments made in the committee of the whole were adopted:

Strike all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The director of the department of conservation and development shall prescribe and enforce rules and regulations governing the casing and abandonment of oil and gas wells and of water wells for other than domestic use, and for the prevention of waste of oil, gas and water therefrom, based upon approved and recognized practices, upon all lands of the State of Washington.

"Sec. 2. Any person, firm or corporation before starting to drill a well for oil or gas, or water for other than domestic use, in the State of Washington from and after the passage of this act, shall first obtain a permit from the director of conservation and development. The application for a permit must be accompanied by a fee of ten dollars (\$10) and shall contain such information as the said director may prescribe.

"Sec. 3. It shall be the duty of any person, firm or corporation drilling a well for oil or gas, or water for other than domestic use, to keep at the well a detailed and accurate day to day record of the well; to keep samples of drill cuttings which shall be taken at least every fifty (50) feet, both the record and the samples to be accessible to the said director or his agents at all reasonable times, and to comply with all rules and regulations prescribed by the said director as herein provided.

"Sec. 4. Any person, firm or corporation violating any of the provisions of this act or any of the rules and regulations prescribed by the said director shall be guilty of a misdemeanor."

Amend the title by striking the whole thereof and substituting in lieu thereof the following:

"An Act relating to the drilling, casing and abandonment of oil and gas wells and water wells for other than domestic purposes; requiring permits therefor; authorizing the director of conservation and development to prescribe and enforce rules and regulations; and prescribing penalties."

Senator Shorett moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senator Orndorff assumed the chair.

Senators Farquharson, Murphy and Drumheller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 169 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler,

Kerstetter, Klemgard, Kyle, Lovejoy, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Schroeder, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—33.

Absent or not voting: Senators Bloomer, Duggan, Keller, Koontz, Malstrom, Maxwell, McAulay, Reardon, Rosellini, Roup, Shorett, Sieler and Stinson—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 112:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Railroads and Transportation, to whom was referred Senate Bill No. 112, entitled: "An Act relating to railroad and highway crossings; amending chapter 30 of the Laws of 1913, as amended by adding thereto two new sections to be known as section 8, providing that the department of public service may require that log hauling cars operated by a railroad be equipped with reflector buttons or other warning devices, and section 9, providing for reports of accidents at grade crossings, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the bill by striking everything after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Chapter 30 of the Laws of 1913, as amended, is hereby amended by adding a new section to be known as section 8a, to read as follows:

"Section 8a. Every railroad shall furnish to the department within thirty (30) days after an accident upon or at a grade crossing a detailed report of such accident with a statement of what it believes to be the cause of the same. The department may prescribe the form of the report.

"Sec. 2. This act is necessary for the preservation of the public peace, health, and safety, the support of the state government and its existing institutions, and shall take effect immediately."

Amend the title by striking the whole thereof and insert in lieu thereof the following:

"An Act relating to railroad and highway crossings, providing for reports of accidents at grade crossings, amending chapter 30 of the Laws of 1913, as amended, by adding thereto a new section to be known as section 8a, and declaring an emergency."

GORDON KLEMGARD, *Chairman.*

We concur in this report: W. C. Dawson, J. W. Henderson, C. F. Stinson, G. B. Kerstetter, Geo. A. Lovejoy, Henry J. Copeland, Thomas Voyce, Joseph Drumheller.

On motion of Senator Klemgard, the report of the committee was received and the bill was read the third time.

On motion of Senator Klemgard, the committee amendments were adopted. Senators Farquharson, Morgan and Kyle demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 112, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Roberts, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—34.

Those voting nay were: Senator Murphy—1.

Absent or not voting: Senators Bloomer, Drumheller, Keller, McAulay, McMillan, Moe, Reardon, Rosellini, Roup, Sieler and Stinson—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Meyers assumed the chair.

Senate Bill No. 389, entitled: "An Act relating to certain state lands and authorizing an adjustment in the contract for the purchase thereof", was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 389, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Voyce and Wanamaker—35.

Absent or not voting: Senators Bloomer, Drumheller, Keller, Maxwell, McMillan, Moe, Reardon, Rosellini, Roup, Stinson and Troy—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 390, entitled: "An Act relating to rivers, lakes and bodies of water, empowering the commissioner of public lands to determine the navigability thereof, and declaring the status of such waters.", was read the third time.

Senator Klemgard moved that Senate Bill No. 390 be indefinitely postponed.

On motion of Senator Voyce, the motion by Senator Klemgard was laid on the table.

Senators Kyle, Farquharson and Voyce demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 390, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Drumheller, Edwards, Farquharson, Ferryman, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, Mills, Moe, Morgan, Murphy, Percival, Rosellini, Schroeder, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—26.

Those voting nay were: Senators Copeland, Dawson, Duggan, Haddon, Henderson, Klemgard, Maxwell, McDonald, McMillan, Metcalf, Murfin, Orndorff, Roberts, Shorett, and Sieler—15.

Absent or not voting: Senators Bloomer, Keller, Reardon, Roup and Stinson—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 241:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 241, entitled: "An Act relating to the welfare of minor children, their care, custody, control and adoption, and providing penalties; amending sections 1, 4 and 5 of chapter 150 of the Laws of 1935 and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 3, line 20 of the printed bill, being line 4, page 3 of the original bill, by striking the colon (:) following "days" and inserting a period in lieu thereof, and striking everything to and including the period (.) following the word "enter" in line 22 of the printed bill, lines 7 and 8 of the original bill.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Harold P. Troy, A. M. Murfin, Albert D. Rosellini, Herbert H. Sieler, F. L. Morgan, H. I. Kyle, Leroy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 241, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy and Voyce—38.

Those voting nay were: Senator Farquharson—1.

Absent or not voting: Senators Bloomer, Keller, McDonald, Reardon, Roup, Stinson and Wanamaker—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 242:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 242, entitled: "An Act relating to adoption; providing for investigation; and amending section 1 of chapter 158 of the Laws of 1927 and section 1669 of the Code of 1881; repealing section 1668 of the Code of 1881; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 6 of the printed bill, being lines 14 and 15 of the original bill, by striking the words "such adoption by the person" and substituting in lieu thereof the words "the adoption by such person".

Amend section 1, lines 11 and 12 of the printed bill, being lines 21 and 22 of the original bill, by striking the words "for any cause whatsoever".

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, A. M. Murfin, Albert D. Rosellini, Herbert H. Sieler, F. L. Morgan, H. I. Kyle, Leroy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

At 11:30 o'clock p. m., Senator Malstrom moved that the Senate adjourn.

The motion failed to carry.

On motion of Senator Duggan, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 242, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy and Voyce—35.

Those voting nay were: Senators Farquharson, Kerstetter, Malstrom and Wanamaker—4.

Absent or not voting: Senators Bloomer, Keller, McDonald, Moe, Reardon, Roup and Stinson—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Roberts, Senator Malstrom was excused.

Senate Bill No. 414:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 414, entitled: "An Act relating to copyrights and regulating the sale, licensing, or other disposition of the right publicly to perform for profit in the State of Washington, musical compositions and dramatic-musical compositions, and repealing chapter 218 of the Laws of 1937.", have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Clifford O. Moe, H. I. Kyle, Leroy L. Todd, Albert D. Rosellini, F. L. Morgan, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 414, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Sullivan, Troy, Voyce and Wanamaker—34.

Those voting nay were: Senators Farquharson, Kyle, Morgan, Thomas and Todd—5.

Absent or not voting: Senators Bloomer, Keller, Maxwell, Moe, Reardon, Roup and Stinson—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 5:

On motion of Senator Kyle, Senate Bill No. 5 was indefinitely postponed.

Senate Bill No. 366:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate Bill No. 366, entitled: "An Act relating to the sale of state lands to school district No. 58 of Clallam county, Washington.", have had the same under consideration, and we respectfully report the same back to the Senate with recommendation that it do pass.

F. L. MORGAN, *Chairman.*

We concur in this report: Lulu D. Haddon, Monty Percival, Harold P. Troy, Alfred E. Holt, J. P. Keller.

On motion of Senator Morgan, the report of the committee was received and the bill was read the third time.

Senators Orndorff, Drumheller and Edwards demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 366, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy and Wanamaker—37.

Absent or not voting: Senators Bloomer, Duggan, Farquharson, Keller, Maxwell, Reardon, Roup, Stinson and Voyce—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Joint Resolution No. 14:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 14, entitled: "Providing for submission to the electors of the state of a proposal to amend article VII of the Constitution of the State of Washington relating to taxation by adding thereto a new section to be designated section 2 of said article.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Amend Senate Joint Resolution No. 14 by adding a new paragraph to read as follows:
And Be It Further Resolved, That the secretary of state shall cause the foregoing amendment to be published for at least three (3) months next preceding the election, in some weekly newspaper, in every county wherein a newspaper is published throughout the state.

H. I. KYLE, *Chairman*.

We concur in this report: K. W. Reardon, Harold P. Troy, Kebel Murphy, Mary Farquharson, Judson W. Shorett.

Senate Chamber,
 Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, a minority of Your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 14, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: Gordon Klemgard, Ralph Metcalf, Geo. F. McAulay, Fred S. Duggan.

Senate Chamber,
 Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 14, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman*

We concur in this report: W. R. Orndorff.

On motion of Senator Kyle, the reports of the committee were received and the resolution was read the third time.

On motion of Senator Holt, the committee amendment was adopted.

Senators Drumheller, Holt and Orndorff demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 14, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Atkinson, Edwards, Farquharson, Ferryman, Haddon, Holt, Keeler, Kerstetter, Koontz, Lovejoy, Malstrom, McDonald, Moe, Morgan, Murfin, Murphy, Percival Rosellini, Roup, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—27.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Henderson, Klemgard, Kyle, McAulay, McMillan, Metcalf, Mills, Orndorff and Sieler—12.

Absent or not voting: Senators Bloomer, Duggan, Keller, Maxwell, Reardon, Roberts and Stinson—7.

Senate Joint Resolution No. 14 having failed to receive a constitutional majority, was declared lost.

Senator Kyle gave notice that at the proper time on the next legislative day he would move for a reconsideration of the vote by which Senate Joint Resolution No. 14 failed to pass the Senate.

The Senate referred back to the second order of business for the purpose of receiving committee reports.

REPORTS OF STANDING COMMITTEES

Engrossed House Bill No. 351:

The Committee on Agriculture recommended that Engrossed House Bill No. 351 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 417:

The Committee on Dairy and Livestock recommended that Senate Bill No. 417 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 431:

The Committee on Revenue and Taxation recommended that Senate Bill No. 431 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 227:

The Committee on Agriculture recommended that House Bill No. 227 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 413:

The Committee on Agriculture recommended that Senate Bill No. 413 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 191:

The Committee on Industrial Insurance recommended that Engrossed House Bill No. 191 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 190:

The Committee on Industrial Insurance recommended that Engrossed House Bill No. 190 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

At 11:59 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 12:00 o'clock noon, tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTY-FIFTH DAY

AFTERNOON SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Saturday, March 4, 1939.

The Senate was called to order at 12:00 o'clock noon, by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

On motion of Senator Kyle, the reading of the journal of the previous day was dispensed with and it was approved.

MOTION FOR RECONSIDERATION

Senator Kyle moved that the Senate now reconsider the vote by which Senate Joint Resolution No. 14 failed to pass the Senate.

Senators Holt, Farquharson and Morgan demanded a call of the Senate. A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all Senators being present.

On motion of Senator Holt, the Senate proceeded under the call of the Senate.

The Chair announced that the Senate would hear reports of standing committees before consideration of Senate Joint Resolution No. 14.

MOTION

Senator Murfin moved that during this legislative day no Senator shall speak without unanimous consent more than two minutes on any subject except that authors or sponsors of bills may speak four minutes.

Senator Reardon moved to amend the motion of Senator Murfin by adding thereto, "That no Senator will yield to a question."

On motion of Senator Kyle, the motion of Senator Reardon was laid on the table.

The motion by Senator Murfin carried.

REPORTS OF STANDING COMMITTEES**Senate Bill No. 432:**

The Committee on Judiciary recommended that Senate Bill No. 432 do pass. The report of the committee, together with the bill, was placed on general file.

House Bill No. 268:

A majority of the Committee on Insurance recommended that House Bill No. 268 do pass.

A minority of the Committee on Insurance recommended that House Bill No. 268 do not pass.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 39:

The Committee on Counties and County Boundaries referred House Bill No. 39 back to the Senate without recommendation.

The report of the committee, together with the bill, was placed on general file.

MOTION

Senate Bill No. 168:

Senator Atkinson moved that the committee be discharged and that Senate Bill No. 168 be brought out of the Committee on Appropriations.

Senator Reardon moved that the motion by Senator Atkinson be laid on the table.

Senators Morgan, Kyle, Thomas, Atkinson, Kerstetter, Malstrom, Voyce and Farquharson demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Reardon carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Keeler, Keller, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Troy and Wanamaker—30.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Ferryman, Holt, Kerstetter, Kyle, Malstrom, Morgan, Rosellini, Stinson, Sullivan, Thomas, Todd and Voyce—16.

STATEMENT

By Senator Atkinson regarding his vote to bring the Civil Liberties Bill, Senate Bill No. 168, from the Rules Committee and place it on the calendar:

"I am in favor of this bill, but not because I believe subversive influences of either the right or the left should be allowed free sway in our country. If the rights of the people to free speech and assemblage under the general terms of the Federal or State Constitution are enforced, there will be no necessity for either Communism or Fascism. It is the refusal of some communities of this State to accord those rights which gives rise to counter-movements."

GENERAL FILE

Senate Bill No. 263:

On motion of Senator Copeland, Senate Bill No. 263 was re-referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 50; also Senate Bill No. 88; also Senate Bill No. 114; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 541, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

RECONSIDERATION

Senate Joint Resolution No. 14:

The President announced that the question is now on the reconsideration of Senate Joint Resolution No. 14.

President Meyers assumed the chair.

Senators Morgan, Edwards and Voyce demanded the previous question.

The previous question was ordered.

Senators Reardon, Lovejoy, Drumheller, Maxwell, Murfin, Shorett, Duggan and Orndorff demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Kyle to reconsider the vote by which Senate Joint Resolution No. 14 failed to pass the Senate, carried by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Farquharson, Ferryman, Haddon, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Mills, Moe, Morgan, Murfin, Murphy, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Henderson, Klemgard, McAulay, Metcalf, Orndorff and Sieler—10.

Senators Kyle, Malstrom and Morgan demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 14, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Farquharson, Ferryman, Haddon, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Mills, Moe, Morgan, Murfin, Murphy, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Henderson, Klemgard, McAulay, Metcalf, Orndorff and Sieler—10.

The resolution, having received the constitutional majority, was declared passed.

MOTION FOR RECONSIDERATION**Senate Bill No. 261:**

Senator Farquharson moved that the Senate now reconsider the vote by which Senate Bill No. 261 failed to pass the Senate.

The motion by Senator Farquharson carried.

Senators Reardon, Orndorff and Keller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 261, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Farquharson, Haddon, Holt, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Moe, Morgan, Murphy, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—25.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Henderson, Keeler, Klemgard, Koontz, McAulay, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Sieler and Stinson—21.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF BILLS

Engrossed House Bill No. 364, by Representative Reilly (Edward J.), (By Request), entitled: "An Act relating to the sale by counties of property acquired for taxes, and amending section 1 of chapter 68 of the Laws of 1937 (section 11294 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Duggan, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

Engrossed House Bill No. 380, by Representative Chervenka, entitled: "An Act relating to assessment, levy and collection of taxes and amending section 25 of chapter 130 of the Laws of the Extraordinary Session of 1925 (section 11129 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Murfin, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

Engrossed House Bill No. 393, by Representative Fry, entitled: "An Act declaring the policy of the legislature in regard to veterinary practice; defining terms; establishing a commission and defining its powers and duties; providing for the giving of examinations to applicants and setting out qualifications necessary to secure a license; exempting veterinarians now licensed in this state from taking examinations; providing for the holding of hearings for the purpose of denying applications or revoking or suspending licenses and the procedure therefor; setting out grounds for the denying of an application or the revocation or suspension of a license; providing for license and other fees; setting out certain unlawful acts and providing penalties therefor; making certain exemptions and repealing sections 10040, 10041, 10042, 10043, 10044, 10045, 10046, 10047, 10048, 10049, 10050, 10051, 10052, 10053, 10054 and 10055 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Todd, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Livestock.

Engrossed House Bill No. 473, by Representative Devenish, entitled: "An Act relating to motor vehicles, evidence of ownership, registration, licensing and identification thereof, and regulation and licensing of operators thereof; relating to certain provisions for the ownership, registration and licensing of vehicles and control of vehicle operators; prescribing the powers and duties of certain public officers; defining certain offenses; amending sections 5, 7, 17, 21, 28, 46, 47, 52, 56 and 67 of chapter 188, Session Laws of 1937; and declaring an emergency and that this act shall become effective April 1, 1939."

The bill was read the first time, and on motion of Senator Keller, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

Engrossed House Bill No. 524, by Representative Warnica, entitled: "An Act making an appropriation for the department of public service of the State of Washington to defray the cost and expenses incident to an investigation of the telephone utilities of the State of Washington."

The bill was read the first time, and on motion of Senator Drumheller, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Utilities.

House Bill No. 299, by Representative Reilly (E. J.), (By Departmental Request), entitled: "An Act relating to depositaries of public funds, and amending section 2 of chapter 139 of the Laws of 1935 (section 5549 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Duggan, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 535, by Representative Warnica, entitled: "An Act relating to public service companies; providing for additional supervision and regulation thereof and for the payment by said public service companies of the costs of certain investigations, valuations and appraisals and services made and rendered by the department of public service; and repealing section 12 of chapter 165 of the Laws of 1933; and declaring an emergency."

The bill was read the first time, and on motion of Senator Drumheller, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Utilities.

Engrossed Substitute House Bill No. 242, by Committee on State Penal and Reformatory Institutions, entitled: "An Act authorizing establishment and operation of conservation camps for certain inmates confined in the Washington state penitentiary and the Washington state reformatory; providing compensation for inmates transferred to such camps; making an appropriation; and declaring an emergency."

The bill was read the first time, and on motion of Senator Reardon, the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

House Bill No. 565, by Representative Egbert, entitled: "An Act relating to dikes and drains and the powers of diking districts, amending section 1, chapter 153, Laws of 1915 (section 4243, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Keeler, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

House Joint Memorial No. 21, by Representative Hanson: "Relating to the control of noxious weeds."

The memorial was read the first time, and on motion of Senator McMillan, the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Agriculture.

House Bill No. 243, by Representative Smith (V. A.), (By Departmental Request), entitled: "An Act to provide for compelling attendance of out of state witnesses by this state and other states in criminal cases, and to make uniform the law with reference thereto, and repealing all acts or parts of acts inconsistent herewith."

The bill was read the first time, and on motion of Senator Duggan, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 244, by Representative Smith (V. A.), entitled: "An Act to make uniform the law on fresh pursuit, and authorizing this state to cooperate with other states therein; and declaring an emergency."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 287, by Committee on State Granted, School and Tide Lands, entitled: "An Act authorizing the exchange of state lands for lands owned by Stevens county, State of Washington; amending section 1, chapter 86, of the Session Laws of 1937; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Morgan the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Granted, School and Tide Lands.

House Bill No. 298, by Representative Reilly (E. J.), (By Departmental Request), entitled: "An Act relating to finance; authorizing the state treasurer to close an outstanding balance carried in his cash account as deposits in closed banks; appropriating \$33,570.29 from the 'deposit interest fund', as and when available, to the state treasurer; and providing that any further dividends from closed banks be credited to the 'deposit interest fund'."

The bill was read the first time, and on motion of Senator Duggan the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

House Bill No. 458, by Representatives Armstrong and Austin, entitled: "An Act relating to cities of the first class; authorizing the establishment of salary funds; and declaring an emergency."

The bill was read the first time, and on motion of Senator Holt the rules were suspended, the bill was read the second time by title, and referred to the Committee on Cities of the First Class.

House Bill No. 477, by Representative Schumann, entitled: "An Act relating to the regulation and control of water within this state and rights to the use thereof, and amending chapter 117, Laws of 1917, as amended, by adding thereto a new section to be known as section 39-b."

The bill was read the first time, and on motion of Senator Keeler the rules were suspended, the bill was read the second time by title, and referred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

House Bill No. 521, by Representative Woodall, entitled: "An Act relating to taxation; authorizing the segregation and separate payment of tax upon improvements owned separately from the fee as a part of which they have been assessed; and prescribing the duties of certain county officers in connection therewith."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

House Bill No. 348, by Representative Riley (Edward F.), entitled: "An Act relating to the proceeds of life insurance and amending section 2 of chapter 92 of the Laws of 1927 (section 7230-1 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator McDonald the rules were suspended, the bill was read the second time by title, and referred to the Committee on Insurance.

House Bill No. 401, by Representative Pearson, Sherman and Savage, entitled: "An Act relating to state parks and establishing the Salt Creek State Park in Jefferson county."

The bill was read the first time, and on motion of Senator Roberts the rules were suspended, the bill was read the second time by title, and referred to the Committee on Parks and Playgrounds."

House Bill No. 415, by Representatives Mohler and Warnica, entitled: "An Act relating to the State Military Department and providing for the sale of certain real property, and making an appropriation of funds realized therefrom."

The bill was read the first time, and on motion of Senator Orndorff the rules were suspended, the bill was read the second time by title, and referred to the Committee on Military.

House Bill No. 121, by Representative Bienz, entitled: "An Act relating to education; providing for the continuous employment of certificated teachers and certain other employees of school districts; providing for probation of teachers; prescribing grounds for and the manner of their discharge or discipline; regulating leaves of absences and resignations; creating a tenure commission, providing for the appointment and qualification of members thereof, and prescribing its powers and duties; creating a teachers revolving fund; making an appropriation; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read the first time, and on motion of Senator Haddon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Education.

House Bill No. 224, by Representative Jackson, entitled: "An Act relating to the establishment of a state-wide first aid meet under the supervision of the department of labor and industries for employers and employees engaged in extra-hazardous industries and making appropriations therefor."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on appropriations.

House Bill No. 240, by Representative Smith (Vernon A.), (By Departmental Request), entitled: "An Act relating to release or parole of persons convicted to the penitentiary and reformatory and amending section 4 of chapter 114 of the Laws of 1935, and declaring an emergency."

The bill was read the first time, and on motion of Senator Reardon the rules were suspended, the bill was read the second time by title, and referred to the Committee on State Penal and Reformatory Institutions.

GENERAL FILE

Senate Bill No. 409:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Commerce and Manufacturing, to whom was referred Senate Bill No. 409, entitled: "An Act relating to the manufacture and distribution of candy and other confectionery products, and regulating the same; providing for the protection of public health and the prevention of frauds; defining terms; providing for permits and certificates and the procedure for revocation or suspension thereof; and prescribing penalties.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 13, page 3, line 12 of the original bill, the same being section 13, page 2, line 27 of the printed bill, by striking the word "license" and inserting in lieu thereof the word "permit".

Amend section 21, page 5, line 9 of the original bill, the same being section 21, page 3, line 31 of the printed bill by inserting after the word "confectionery" and before the comma (,) the word "products".

Amend section 21, page 5, line 13 of the original bill, the same being section 21, page 3, line 34 of the printed bill by adding after the period (.) following the word "therefor" the following sentence: "Nothing in this section shall prohibit a confectioner from making an exchange of confectionery products, or granting a rebate, or allowance, or making any adjustment covering any confectionery products sold, or delivered in a damaged, broken, or unsalable condition: *Provided, however,* That such adjustment must be made within a period of thirty (30) days after date of sale."

W. C. Dawson, *Chairman.*

We concur in this report: Albert D. Rosellini, Lulu D. Haddon, Ted F. Schroeder, Joseph D. Roberts.

On motion of Senator Dawson, the report of the committee was received and the bill was read the third time.

On motion of Senator Percival, the committee amendments were adopted. Senators Reardon, Orndorff and Keller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 409, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Thomas, Troy, Voyce and Wanamaker—36.

Those voting nay were: Senators Kyle, McAulay, Murphy and Stinson—4.

Absent or not voting: Senators Drumheller, Duggan, Klemgard, Moe, Sullivan and Todd—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 490:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 490, entitled: "An Act relating to state and county government;"; have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Strike everything following the enacting clause, insert in lieu thereof the following:

"SECTION 1. The Director of Finance, Budget and Business is hereby authorized and empowered to enter into appropriate agreements with Boards of County Commissioners of the State of Washington providing for hospitalization and treatment in state hospitals of indigent patients infected with syphilis. Payment for such service shall be based upon cost as determined by the said director.

"SEC. 2. Hospitalization and treatment as in this act authorized shall be under the exclusive direction of the superintendents of state hospitals and patients admitted for treatment shall be subject to rules and regulations governing such institutions.

"SEC. 3. This act is necessary for the preservation of public health and safety and shall take effect immediately."

Amend the title by striking the whole thereof and inserting in lieu thereof the following:

"An Act relating to State Hospitals, providing for hospitalization of indigent patients infected with syphilis, authorizing Director of Finance, Budget and Business to enter into contracts with Boards of County Commissioners, fixing terms and declaring this act shall take effect immediately."

J. W. HENDERSON, *Chairman*.

We concur in this report: Robert T. McDonald, Lulu D. Haddon, Geo. A. Lovejoy, Henry J. Copeland, Paul G. Thomas.

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 490, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

We concur in this report: G. B. Kerstetter.

On motion of Senator Henderson, the reports of the committee were received and the bill was read the third time.

On motion of Senator Sieler, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 490, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Those voting nay were: Senator Kerstetter—1.

Absent or not voting: Senators Duggan, Holt, Keeler, Klemgard, McMillan and Metcalf—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 350:

On motion of Senator Thomas, Senate Bill No. 350 was ordered advanced as the next bill on the calendar to be considered by the Senate.

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a part of your Committee on Appropriations, to whom was referred Senate Bill No. 350, entitled: "An Act making an appropriation for the construction of a naval and marine corps reserve armory at Seattle, Washington.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman.*

We concur in this report: Paul G. Thomas, Robert T. McDonald, Monty Percival, Gordon Klemgard, John H. Ferryman, Geo. A. Lovejoy, W. C. Dawson, D. E. McMillan, A. E. Edwards, Howard Roup.

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a part of your Committee on Appropriations, to whom was referred Senate Bill No. 350, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*

We concur in this report: G. B. Kerstetter, Mary Farquharson.

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a part of your Committee on Appropriations, to whom was referred Senate Bill No. 350, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman*

We concur in this report: Henry J. Copeland, Chapin A. Mills, Joseph Drumheller.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 350.

The bill was considered in the committee of the whole, Senator Maxwell in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Maxwell, the report of the committee of the whole was adopted.

Senator Reardon moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Maxwell, Drumheller and Lovejoy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 350, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Keeler, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—31.

Those voting nay were: Senators Farquharson, Keller, Koontz, Kyle, Mills, Morgan, Murfin, and Todd—8.

Absent or not voting: Senators Drumheller, Duggan, Holt, Kerstetter, Klemgard, Roup and Schroeder—7.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Maxwell, the rules were suspended and Senate Bill No. 350 was ordered immediately transmitted to the House.

PROTESTS

"I protest against the hypocrisy of the majority of the Senate in voting for Senate Bill 350 which calls for an appropriation of more than \$146,000 from the general fund, when they know that the general fund is facing a deficit of over \$12,000,000, and that if this bill ever reaches the Governor's desk, he will be forced to veto it."

H. I. KYLE
F. L. MORGAN
MARY FARQUHARSON
A. M. MURFIN
J. M. KOONTZ

"I wish to add my name to the protest of Senator Kyle on Senate Bill 350."

Senator Reardon assumed the chair.

Senate Bill No. 342:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 17, 1939.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 342, entitled: "An Act relating to banks and banking, providing for deposits made payable to the names of the depositor and another person and the disposition thereof, prescribing certain rules of evidence, defining terms, and repealing section 42 of chapter 80 of the Laws of 1917 (section 3249 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended.

Amend the title as follows: on line 3 of the original bill, the same being line 3 of the printed bill, after the word "evidence," insert the word "and"

Amend the title as follows: on line 4 of the original bill, the same being line 3 of the printed bill, strike the comma (,) after the word "terms" and insert in lieu thereof a period (.) and strike the remainder of the paragraph.

Amend Sec. 3, line 26 of the original bill, the same being Sec. 3, line 15 of the printed bill, by striking the entire section. GEO. F. MCAULAY, *Chairman*.

We concur in this report: Kathryn E. Malstrom, Thomas Voyce, Herbert H. Sieler, Joseph D. Roberts, Henry J. Copeland, Geo. A. Lovejoy.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

On motion of Senator Lovejoy, the committee amendments were adopted. Senator Kyle moved that Senate Bill No. 342 be indefinitely postponed.

Senators Orndorff, Maxwell and Drumheller demanded the previous question.

The previous question was ordered.

The Chair announced the question is on the motion by Senator Kyle that Senate Bill No. 342 be indefinitely postponed.

The motion by Senator Kyle carried.

Senate Bill No. 62:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 62, entitled: "An Act relating to state and county offices and prescribing time for opening and closing thereof.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Judson W. Shorett, F. L. Morgan, Ralph Metcalf, Earl Maxwell, Clifford O. Moe, Harold P. Troy, H. I. Kyle.

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 62, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*

We concur in this report: A. M. Murfin.

On motion of Senator Duggan, the reports of the committee were received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 62, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Mills, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Wanamaker—35.

Those voting nay were: Senators Atkinson, McAulay and Murfin—3.

Absent or not voting: Senators Dawson, Duggan, Klemgard, Malstrom, Moe, Rosellini, Schroeder and Voyce—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 482:

The Secretary read:

REPORT OF STANDING COMMITTEESenate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate Bill No. 482, entitled: "An Act relating to sewer districts outside the limits of incorporated cities and towns; providing for the establishment, organization, financing, operation and regulation thereof, and for the construction and acquisition of facilities therefor, and for the costs, maintenance and operation thereof; and defining the powers and duties of such districts and of public officials and municipal corporations in connection therewith; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the bill by adding thereto new sections to be known as sections 2 to 24 inclusive, and to read as follows:

"Sec. 2. For the purpose of formation of any such sewer district, a petition shall be presented to the board of county commissioners of the county in which said proposed sewer district is located, which petition shall set forth the object for the creation of the said district, shall designate the boundaries thereof with regard to topographic conditions, and set forth facts showing that the establishment of said district will be conducive to the public health, convenience and welfare and will be of benefit to the property included therein. Said petition shall be signed by at least twenty-five per cent (25%) of the qualified electors, who shall be qualified electors on the date of filing the petition, residing within the district described in said petition. The said petition shall be filed with the county auditor, who shall within ten days thereafter examine the signatures thereof and certify to the sufficiency or insufficiency thereof, and for such purpose shall have access to all registration books in the possession of the registration officers of any precinct in such proposed district. No person after having signed such a petition shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor. If such petition shall be found to contain a sufficient number of signatures, the county auditor shall transmit the same, together with his certificate of sufficiency attached thereto, to the board of county commissioners. If such petition shall be certified to contain a sufficient number of signatures, the board of county commissioners, at a regular or special meeting, shall fix a time for hearing and cause ten days' notice thereof to be given in the newspaper doing the county printing of such county, by publication in two consecutive weekly issues of said paper during said time, stating that such petition has been presented, describing the boundaries of the proposed district and stating the time and place for hearing thereon.

"When such petition is presented for hearing, the board of county commissioners shall hear the same, or may adjourn said hearing from time to time not exceeding one month in all. Any person, firm or corporation may appear before the said board of county commissioners at such hearing, or any adjournment thereof, and make objections to the establishment of the said district or the proposed boundary lines thereof. Upon final hearing said board of county commissioners may make such changes in the proposed boundary lines as they deem to be proper and shall establish and define such boundaries and shall find whether the proposed sewer district will be conducive to the public health, welfare and convenience: *Provided*, That no lands which will not, in the judgment of said board, be so benefited by inclusion therein, shall be included within the boundaries of said district as so established and defined: *Provided, further*, That no change shall be made by the said board of county commissioners in the said boundary lines to include any territory outside of the boundaries described in the said petition, except that the boundaries of any proposed district, in view of topographic conditions, may be extended by the board of county commissioners at such hearing to include other adjoining lands in said county upon a petition signed by the owners of all of the land within the proposed extension.

"Whenever the boundaries of any such sewer district shall have been finally established and such district shall have been created and organized as in this act provided, the boundaries thereof shall not thereafter be changed.

"Sec. 3. Final action by the board of county commissioners upon such petition shall be by resolution. If they find that the proposed sewer district will be conducive to the public health, welfare and convenience, they shall fix and establish the boundaries thereof, designate the name therefor, and call a special election to be held in such proposed district for submission of the question or proposition of the creation and establishment of such sewer district to the qualified voters thereof for their adoption or rejection and for the election of three (3) commissioners for such sewer district to serve for one (1), two (2) and three (3) years, respectively, and certifying the same to the election board of such county. In submitting the said proposition to the voters for their approval or rejection, such proposition shall be expressed on the ballots in the following terms:

Sewer District.....Yes
 Sewer District..... No

giving in each instance the name of such district as may be designated by the board of county commissioners.

"Sec. 4. If at such election a majority of the voters voting upon such proposition shall vote in favor of the creation and establishment of such district the election board of such county shall so declare in its canvass of the returns of such election, and such sewer district shall thereupon be and become a municipal corporation of the State of Washington, and the name of such district shall be '..... County Sewer District, No.'

"Sec. 5. At the same election at which the sewer district is created and established, three (3) sewer commissioners shall be elected to hold office respectively for the terms one (1), two (2) and three (3) years and until their respective successors are elected and qualified. The term for each nominee for sewer commissioner shall be expressed on the ballot. Thereafter, one (1) sewer commissioner shall be elected annually for the term of three (3) years and until his successor is elected and qualified. The term of any sewer commissioner shall commence thirty (30) days after the date of his election.

"All nominations for office to be voted upon at any election to be held under the provisions of this act, shall be by petition of at least ten per cent (10%) of the qualified electors of such sewer district, or proposed sewer district, who shall be qualified electors on the date of filing the petition, and shall be filed, not more than forty-five (45) and not less than thirty (30) days prior to the date of election, with the county auditor of the county in which said sewer district is located, and by him certified to the election board at least twenty-five (25) days before the date of election. Any person residing in said sewer district who at the time of holding of any election therein, is a qualified voter thereof under the laws of the State of Washington, shall be entitled to vote at any election held in such sewer district. In the event of a vacancy caused by death, resignation or otherwise, such vacancy shall be filled by appointment by a majority vote of the remaining board of sewer commissioners, such appointee to serve until the next regular election for sewer commissioners. The election of sewer district commissioners by the qualified electors shall be by majority vote.

"Sec. 6. The board of sewer commissioners of any sewer district shall consist of three (3) members, who shall annually elect from among their members a president and a secretary. Sewer district commissioners shall serve without compensation, except that the secretary may be paid a reasonable sum for the clerical services performed by him. They shall by resolution adopt rules governing the transaction of business and shall adopt an official seal. All proceedings shall be by resolution recorded in a book or books kept for such purpose which shall be public records. Each sewer commissioner, before entering upon the duties of his office, shall execute and file with the county auditor of such county, an oath of office and a surety bond in the principal sum of twenty-five hundred dollars (\$2,500), subject to the approval of the board of county commissioners of such county, and conditioned for the faithful discharge of the duties of his office, the cost thereof to be paid by such sewer district.

"Sec. 7. Any such sewer district shall be, and is, hereby authorized to acquire by purchase or condemnation, or both, all lands, property and property rights, water, water rights, leases or easements necessary in carrying out the purposes for which said district shall have been created and such right of eminent domain shall be exercised in the same manner and by the same procedure as is or may be provided by law for cities of the third class, except in so far as such law may be inconsistent with the provisions of this act, and such use is hereby declared to be for a public use.

"Any such sewer district may purchase and take water necessary for its sewer system and plant from any city, town, or water district, or, for such purpose, may

take, condemn and purchase, purchase, acquire and retain water from any lake, river or watercourse and, by means of pipelines, conduct the same to a connection or connections with such sewer system and plant, and may, under franchise grants, construct and lay along and upon public highways, roads and streets within such district pipelines and trunk sewers and sub-sewers for the sewerage and drainage of such district in conformity with topographical conditions. The outfalls, works, plants and facilities for sewage treatment and disposal may be located within or without the limits of such sewer district. The board of sewer commissioners of any such sewer district may contract for the discharge of any part or parts of the sewage from such sewer district into the sewer system of any city or town upon such terms and conditions and for such periods of time as the common council or other corporate authorities of such city or town may by ordinance determine.

"Sec. 8. Whenever the sewer district commissioners of any such sewer district shall deem it advisable that such district shall construct, condemn and purchase, purchase, acquire, add to, maintain and operate any system of sewers and drains for the sewerage and drainage of such sewer district or any part thereof, and outfalls, works, plants and facilities for sewage treatment and disposal therefrom, or make any additions and betterments thereto or extensions thereof, such sewer district commissioners shall consider and determine upon and specify and adopt by resolution a comprehensive scheme or plan therefor and declare the estimated cost thereof, as near as may be.

"For such purpose the sewer district commissioners shall investigate the several portions and sections of such sewer district for the purpose of determining the present and future needs of such district for proper sewerage and drainage; shall examine, investigate and consider the topography of the district, feasible locations for main or trunk sewers, and sub-sewers, and for outfalls, works, plants and facilities for sewage treatment and disposal, and the means of supplying water necessary for the maintenance and operation of such plant and system, the estimated costs thereof, and the estimated revenues to be derived from the use thereof.

"The sewer district commissioners shall also investigate and consider the proposed comprehensive scheme and plan in relation to the sewer system of any adjoining or nearby city, town or sewer district, and the feasibility of discharging the sewage and drainage of any part or parts of such sewer district into the existing sewer system of such city or town or sewer district.

"The sewer district commissioners may include provision for the drainage of public highways, streets and roads as part of any such comprehensive scheme and plan. The commissioners may employ such competent engineering and legal service as in their discretion is necessary in carrying out the objects and purposes of this act. No expenditure shall be made by the sewer district commissioners other than for engineering and legal service, clerical and office expenses of such sewer district, and the cost of engineering, surveying, preparation and collection of data necessary for the making and adoption of a general scheme for improvements in such sewer district unless and until such system or plan has been so adopted by the sewer district commissioners and ratified by the affirmative vote of a majority of the voters of such sewer district voting thereon at the election to be held for such purpose, for which preliminary expenditures the board of sewer commissioners are hereby authorized to levy, or cause to be levied, general taxes on all property located in said sewer district not to exceed one (1) mill in any year on the assessed valuation of the property in such sewer district. Said taxes shall be levied, collected and the lien thereof enforced as other general taxes.

"Before the adoption of any such comprehensive scheme or plan, or additions and extensions thereto or betterments thereof, the same shall be submitted to the county road engineer or county engineer, as the case may be, of the county in which such sewer district is located for approval as to proposed routes and sizes and locations of sewers and drains upon and along the county highways, roads and streets, and also to the state director of highways as to state highways.

"Sec. 9. Any such sewer district may make provision in any comprehensive scheme or plan or additions and extensions thereto, or betterments thereof, for drainage of the highways, roads, streets and alleys, or any of them, which can be served thereby. In such case, the plans and specifications shall be approved by the director of highways, whenever any highway affected thereby is subject to his administration, and by the county road engineer, or county engineer, as the case may be, and also by the board of county commissioners of the county in which such sewer district is located.

"Upon such approval, as aforesaid, it shall be lawful for the State of Washington, acting through said director of highways, and for such county, acting through its board of county commissioners, to assume and contract with the commissioners of such sewer district for the payment of that portion of the construction, operation and maintenance of such public utility, made necessary by reason of such drainage of such state highways, or county highways, roads, streets or alleys, as the case may be, payments to be made from the motor vehicle fund in case of the state and from the county road fund in case of such county.

"Sec. 10. Whenever the board of commissioners of any such sewer district shall have specified and adopted a comprehensive scheme or plan for such public utility, or for any additions and betterments thereto, or extensions thereof, and declared the estimated cost thereof as near as may be, the same shall be submitted for ratification or rejection to the qualified voters of such sewer district at the general or special elections: *Provided, however,* That the proposition to incur special indebtedness shall be submitted so as to enable the voters to vote for or against the same independent of any vote on the proposition or adopting or rejecting such proposed comprehensive scheme or plan. If at such election a majority of the votes cast upon such separate question and proposition shall be in favor of the adoption thereof, the same shall thereupon be ratified and adopted.

"Sec. 11. Whenever the qualified voters of any such sewer district shall have adopted a proposition for any public utility as aforesaid and shall have authorized a special indebtedness, the board of sewer commissioners shall have power to create a special fund or funds for the sole purpose of defraying the cost of such public utility or addition, betterment or extension thereto, into which special fund or funds the board of sewer commissioners may obligate and bind such sewer district to set aside and pay a fixed proportion of the gross revenues of such public utility, or any fixed amount out of and not exceeding a fixed proportion of such revenues, or a fixed amount without regard to any fixed proportion, and to issue and sell bonds or warrants bearing interest not exceeding seven per cent (7%) per annum, payable semi-annually, executed in such manner and payable at such times and places as the board of sewer commissioners shall determine, but such bonds or warrants and the interest thereon shall be payable out of such special fund or funds. In creating any such special fund or funds the board of sewer commissioners shall have due regard of the cost of operation and maintenance of the plant or system as constructed or added to, and for any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants or other indebtedness, and shall not set aside into such special fund a greater amount or proportion of the revenue and proceeds than in their judgment will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenue so previously pledged. Any such bonds or warrants and interest thereon issued against any such fund as herein provided shall be a valid claim of the holder thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such sewer district within the meaning of the constitutional provisions and limitations. Each such bond or warrant shall state on its face that it is payable from a special fund, naming the said fund and the resolution creating it. Said bonds and warrants shall be sold in such manner as the board of sewer commissioners shall deem for the best interest of the sewer district, and the board of sewer commissioners may provide in any contract for the construction and acquirement of the proposed improvement that payment therefor shall be made only in such bonds and warrants at par value thereof.

"When any such special fund shall be created and any such obligation shall be issued against the same, a fixed proportion, or a fixed amount out of and not exceeding such fixed proportion, or a fixed amount without regard to any fixed proportion, of revenue shall be set aside and paid into said special fund as provided in the resolution creating such fund, and in case any sewer district shall fail to thus set aside and pay said fixed proportion or amount as aforesaid, the holder of any bond or warrant against such special fund may bring suit or action against the sewer district and compel such setting aside and payment.

"Sec. 12. The board of sewer commissioners of such sewer district, in the event that special indebtedness bonds or warrants are issued against the revenues of such public utility, shall provide by resolution for revenues by fixing rates and charges for the furnishing of such service to those receiving the same, which rates and charges shall be uniform for the same class of service, and payable on a quarterly or monthly basis, the total revenues to be estimated and based so as to be sufficient to take care of costs and maintenance, operation, interest and sinking fund requirements, and other charges

incidental thereto; and such board of sewer commissioners shall compel all property owners within the areas served by such sewerage and sewage disposal system to connect their private drains and sewer systems with such sewer district system.

"Sec. 13. Sewer districts owning their own sewer systems are hereby granted a lien for delinquent and unpaid rates and charges for sewer service against the premises to which the same has been furnished. The sewer commissioners of such sewer district shall provide by resolution for thirty (30) day periods when such rates and charges shall become due and payable. At the expiration of such period, such rates and charges, if unpaid, shall be delinquent and a ten per cent (10%) penalty shall attach thereto. The secretary of such sewer district shall on or before the first day of February of each year certify such delinquencies to the county treasurer of the county in which such sewer district is located and such delinquent rates and charges with penalties added thereto, and interest thereon at the rate of eight per cent (8%) per annum from date of such certificate, shall be a lien against such property, subject only to the lien for general taxes. After such rates and charges become delinquent and unpaid, the sewer commissioners of such sewer district may disconnect the sewer service against such premises until such rates and charges are paid.

"Sec. 14. Such comprehensive scheme or plan shall not be submitted to the voters of such sewer district for their ratification or rejection until the state and county franchises necessary therefor shall have been granted to such sewer district. Whenever application shall be made for any such county franchise, it shall be the duty of the county road engineer, or the county engineer, as the case may be, to examine the layout and design of such comprehensive scheme or plan, and to submit his report thereon in writing to such board of county commissioners, together with his recommendations for modification, if any. Whenever the layout and design of such comprehensive scheme or plan shall be approved by such county road engineer or county engineer, a copy thereof shall be filed in his office and the board of county commissioners may grant such franchise, subject thereto. It shall be the duty of such county road engineer or county engineer, as the case may be, to supervise construction of such utility, or any addition or extension thereto, or betterment thereof, to the end that substantial compliance be had with such approved comprehensive scheme or plan.

"Sec. 15. Whenever any sewer district shall have constructed such system for the sewerages and drainage thereof and the same shall be in readiness for use, it shall be the duty of the board of sewer commissioners of such sewer district to adopt a resolution declaring that such sewer system has been constructed and is in readiness for use, and describing the highways, roads, streets and other public places along which said sewers are laid and installed. The secretary of the board of sewer commissioners shall cause said resolution to be published in the newspaper doing the county printing of the county in which such sewer district is located in four (4) consecutive weekly issues of said paper.

"From and after six (6) months following the date of the first publication of such resolution, the use and maintenance of any private privy, septic tank, cesspool, or other means or facilities for the disposal of human excreta or other sanitary sewage for the service of any premises in such sewer district which can be served by such sewer system shall be unlawful and shall constitute a public nuisance and shall be abated by proceedings brought in the name of the sewer district in the manner provided by law.

"Sec. 16. All elections in this act provided for shall be conducted by the county election board of the county in which the sewer district, or proposed sewer district, is located, and shall be held, in class A and first class counties, at such times as provided by law for city and town elections therein, and in other than class A and first class counties, at such times as provided by law for city, school district and port district elections therein. In all other respects, the provisions of law applicable to cities and towns in class A and first class counties for the calling, certification, notice, holding, conduct, return and canvass of elections therein, whether general or special, and whether for the election of officers or for the submission to the voters of any question for their adoption and approval shall apply to sewer districts and proposed sewer districts under this act. For such purpose, the election held for the creation and establishment of a sewer district and for election of its first commissioners shall be deemed a sewer district election, which shall be ordered by the board of county commissioners and certified to the county election board by the county auditor of such county, which election shall be held not less than sixty (60) days after such certification.

"Sec. 17. The county treasurer shall create a fund to be known as the '..... Sewer District Fund,' into which shall be paid all money received by him from the

collection of taxes in behalf of such sewer district, and no money shall be disbursed therefrom except upon warrants of the county as in this act provided. The county treasurer shall also maintain such other special funds as may be prescribed by the sewer district, into which shall be placed such monies as the board of sewer commissioners may by resolution direct, and from which disbursements shall be made upon proper warrants of the county auditor issued against the same by authority of the board of sewer commissioners.

"Sec. 18. The board of sewer commissioners shall have authority by resolution to create and fill positions and fix salaries and bonds thereof. The superintendent or other person charged with the operation and maintenance of such sewer system shall be competent for the discharge of such duties, and, for such purpose, his selection by the board of sewer commissioners shall be subject to the approval of the county road engineer or the county engineer, as the case may be, of the county in which any such sewer district is located. All materials purchased and work ordered, the estimated cost of which is in excess of one thousand dollars (\$1,000), shall be let by contract, but before awarding any such contract the board of sewer commissioners shall cause to be published in the newspaper doing the county printing of the county in which such district is located, in two (2) consecutive weekly issues of said paper during said time, a notice, the first publication of which shall be at least ten (10) days before the letting of such contract, inviting sealed proposals for such work, plans and specifications for which must at the time of publication of such notice be on file in the office of the board of sewer commissioners subject to public inspection. Such notice shall state generally the work to be done and shall call for sealed proposals for doing the same to be filed with the secretary of the board of sewer commissioners on or before the day and hour named therein. Each bid shall be accompanied by a certified check payable to the order of the county treasurer for a sum not less than five per cent (5%) of the amount of the bid, and no bid shall be considered unless accompanied by such check. At the time and place named, such bids shall be publicly opened and read and the board of sewer commissioners shall proceed to canvass the bids and may let such contract to the lowest responsible bidder: *Provided, however,* That when, in the opinion of the board of sewer commissioners, all bids are unsatisfactory, they may reject all of them and readvertise and in such case all checks shall be returned to the bidders, but if such contract be let, then and in such case all checks shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract shall be entered into for the purchase of such materials or doing such work, and a bond to perform such work furnished with sureties satisfactory to the board of sewer commissioners in the full amount of the contract price in accordance with the bid. If said bidder fails to enter into said contract in accordance with said bid and furnish such bond within ten (10) days from the date at which he is notified that he is the successful bidder, the said check and the amount thereof shall be forfeited to the sewer district as and for liquidated damages.

"Sec. 19. Gasoline and oil shall not be discharged into any such sewer system. No industrial waste shall be discharged into such sewer system, except under special permit therefor, granted by the board of sewer commissioners subject to such limitations and upon such conditions as the board by resolution may determine.

"Sec. 20. A majority vote of the sewer commissioners of any such sewer district upon any resolution, motion or other proceeding of the board, shall constitute the act of said board thereon. The board of sewer commissioners of any such sewer district may by resolution accept any grant of the United States or of any agency thereof in money or otherwise in aid of the construction of any such public utility, or addition or extension thereto, or betterment thereof.

"Sec. 21. Any city or town owning or operating its own sewer system, whenever topographic conditions shall make it feasible, and whenever such existing sewer system shall be adequate therefor in view of the sewerage and drainage requirements of the property in such city or town, served or to be served by such system, may contract with any such sewer district for the discharge into any such city or town owned sewer system of sewage from any part or parts of such sewer district, upon such terms and conditions and for such periods of time as may be deemed reasonable.

"Sec. 22. The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this act, but the same shall be liberally construed for the purpose of carrying out the objects for which this act is intended.

"Sec. 23. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

"Sec. 24. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately."

EARL MAXWELL, *Chairman.*

We concur in this report: John H. Ferryman, Joseph Drumheller, A. E. Edwards, J. P. Keller.

On motion of Senator Maxwell, the report of the committee was received and the bill was read the third time.

On motion of Senator Thomas, the following amendment to the amendment was adopted:

Amend the committee amendment in Sec. 24 by striking the entire section.

Amend the title by striking the following: "; and declaring an emergency".

On motion of Senator Maxwell, the committee amendment, as amended, was adopted.

Senators Lovejoy, Murfin and Orndorff demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 482, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Rosellini, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—33.

Those voting nay were: Senators Drumheller, Keller, Koontz, McAulay, Morgan, Murphy and Stinson—7.

Absent or not voting: Senators Dawson, Duggan, Edwards, Klemgard, Roberts and Roup—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 483:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, to whom was referred Senate Bill No. 483, entitled: "An Act relating to sewers and drains, and refuse, and authorizing cities and towns to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate systems of sewerage and drainage, and outfalls, works, plants and facilities for sewage treatment and disposal, and systems and plants for refuse collection and disposal, providing for modes of payment therefor, repealing chapter 39 of the Session Laws of 1931, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend the bill by adding thereto new sections to be known as sections 2 to 10 inclusive and to read as follows:

"Sec. 2. Whenever the city council, or other corporate authorities of any such city or town, shall deem it advisable that such city or town shall purchase, acquire or construct any public utility mentioned in section 1 hereof, or make any additions

and betterments thereto, or extensions thereof, such city council, or other corporate authorities of any such city or town, shall provide therefor by ordinance, which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof as near as may be, and the same shall be submitted for ratification or rejection to the qualified voters of such city or town at the general or special election, except in the following cases where no submission shall be necessary.

"(1) When the adoption of a system of sewerage and sewage treatment and disposal, and system for collection and disposal of refuse, and the construction and operation of same, has been required and ordered by the state board of health.

"(2) When no general indebtedness is to be incurred by such city or town in the acquiring, construction, maintenance or operation of such public utility, or when the work proposed is an addition or extension thereto or betterment thereof for which no general indebtedness is to be incurred by such city or town.

"If a general indebtedness is to be incurred, the amount of such indebtedness and the terms thereof shall be included in the proposition submitted to the qualified voters as aforesaid and such proposition shall be adopted and assented to by a majority of the qualified voters of such city or town voting at said election. If no general indebtedness is to be incurred, such proposition may be adopted by a majority vote. Ten (10) days' notice of such election shall be given in the newspaper doing the city or town printing, by publication in each issue of said paper during said time. Whenever a proposition has been adopted as aforesaid, or, in the cases mentioned in subdivisions first and second of this section where no submission shall be necessary, the city council, or other corporate authorities of such city or town, shall have power to proceed forthwith to purchase, construct and acquire the public utility contemplated, or to make additions, betterments and extensions thereto, and to make payment therefor as in this act provided. Where a general indebtedness is to be incurred, the total indebtedness incurred under the authority of this act, added to all other indebtedness of such city or town at any time outstanding, shall not exceed five per cent (5%) of the value of the taxable property therein, to be ascertained in the case of towns by the last assessment for state and county purposes, and in the case of cities by the last assessment for city purposes, previous to the incurring of such indebtedness: *Provided, however,* That any such city or town may become indebted to a larger amount, but not exceeding five per cent (5%) additional, for supplying such city or town with water, artificial light and sewers when works for supplying such water, light, and sewers shall be owned and controlled by the municipality.

"Sec. 3. Whenever the qualified voters of any such city or town shall have heretofore adopted or shall hereafter adopt a proposition for any public utility as aforesaid and shall have authorized a general indebtedness, or the state board of health has ordered the adopting of and construction and operation of such system of sewerage and sewage treatment and disposal, and system for refuse collection and disposal, general city or town bonds may be issued as hereinafter provided. Said bonds shall be registered or coupon bonds; shall be issued in denominations of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1,000); shall be numbered from one upwards consecutively; shall bear the date of their issue; shall be serial in form finally maturing not more than thirty years from date; shall bear interest not exceeding six per cent annum, payable annually or semi-annually, with interest coupons attached, and the principal and interest shall be made payable at such place as may be designated. The bonds and each coupon shall be signed by the mayor and attested by the clerk, and the seal of such city or town shall be affixed to each bond, but not the coupons. Signatures on the coupons may be lithographic facsimile. Said bonds shall be printed, engraved or lithographed, on good bond paper, shall on their face set forth the title of this act and the date of its approval, and a duly authenticated copy of the ordinance directing the submission of the proposition to the qualified voters of such city or town for ratification or rejection shall be printed on each bond. In the event that an election was had, a printed copy of a signed statement by the mayor and clerk showing the result of said election shall be printed on each bond; in the event that no election was had, but such system was ordered constructed by the state board of health, a printed copy of such order of the state board of health shall be printed on each bond. A register shall be kept of all bonds executed, issued or sold under the provisions hereof, which register shall show the number, date, amount, interest, to whom delivered if coupon bonds, and the name of the payee if registered bonds, and when payable. Otherwise, proceedings relative to the issuance and sale of said bonds shall comply with chapter 151

of the Session Laws of 1923, as now or hereafter amended, and the amortized annual maturities of said bonds may be in compliance with chapter 30 of the Laws of the Extraordinary Session of 1933, as now or hereafter amended. Such bonds may be registered as to principal, pursuant to the provisions of chapter 91 of the Session Laws of 1915, as now or hereafter amended, in which case the city council, or other corporate authorities of such city or town, may designate by resolution an officer for the performance of such duties, and may designate by resolution the fiscal agency of the State of Washington for the performance of such duties, upon arrangements as in said act provided. There shall be levied each year a tax upon the taxable property of such city or town sufficient to pay the interest on said bonds as the same accrue, and an annual sinking fund sufficient for the payment of said bonds at their maturity, which taxes shall become due and collectible as other taxes. In addition thereto the city council, or other corporate authorities of such city or town, shall set aside into a special fund any sums or amounts which may accrue from the collection of service rates and charges for the private and public use of said sewerage, treatment and disposal system, in excess of the cost of operation and maintenance thereof as constructed or added to, and the same shall be applied solely to the payment of such interest and bonds, and where the said rates and charges shall be sufficient therefor no general tax need be levied.

"Sec. 4. Whenever the city council, or other corporate authorities of any such city or town, shall have heretofore adopted or shall hereafter adopt a proposition for any public utility as heretofore provided and either no general indebtedness shall have been authorized or the city council, or other corporate authorities, shall not desire to incur a general indebtedness, and whenever the city council, or other corporate authorities of any such city or town, shall be authorized to exercise any of the powers conferred by section 1 hereof without submitting any proposition as provided in subdivisions first and second of section 2 hereof, the city council, or other corporate authorities, shall have power to create a special fund or funds for the sole purpose of defraying the cost of such public utility or addition, betterment or extension thereto, into which special fund or funds the city council, or other corporate authorities of such city or town, may obligate and bind the city or town to set aside and pay a fixed proportion of the gross revenues of such public utility, or any fixed amount out of and not exceeding a fixed proportion of such revenues, or a fixed amount without regard to any fixed proportion, and to issue and sell bonds or warrants bearing interest not exceeding seven per cent per annum, payable semi-annually, executed in such manner and payable at such times and places as the city council, or other corporate authorities of such city or town, shall determine, but such bonds or warrants and the interest thereon shall be payable only out of such special fund or funds. In creating any such special fund or funds the city council, or other corporate authorities of such city or town, shall have due regard to the cost of operation and maintenance of the plant of system as constructed or added to, and to any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants or other indebtedness, and shall not set aside into such special fund a greater amount or proportion of the revenue and proceeds than in their judgment will be available over and above such cost of maintenance and operation and the amount or proportion, if any, of the revenue so previously pledged. Any such bonds or warrants and interest thereon issued against any such fund as herein provided shall be a valid claim of the holder thereof only as against the said special fund and its fixed proportion or amount of the revenue pledged to such fund, and shall not constitute an indebtedness of such city or town within the meaning of the constitutional provisions and limitations. Each such bond or warrant shall state on its face that it is payable from a special fund, naming the said fund and the ordinance creating it. Said bonds and warrants shall be sold in such manner as the corporate authorities shall deem for the best interest of the city or town, and the corporate authorities may provide in any contract for the construction and acquirement of the proposed improvement that payment therefor shall be made only in such bonds and warrants at par value thereof.

"When any such special fund shall have been heretofore or shall be hereafter created and any such obligation shall have been heretofore or shall hereafter be issued against the same, a fixed proportion, or a fixed amount out of and not exceeding such fixed proportion, or a fixed amount without regard to any fixed proportion, of revenue shall be set aside and paid into said special fund as provided in the ordinance creating such fund, and in case any city or town shall fail to thus set aside and pay said fixed proportion or amount as aforesaid, the holder of any bond or warrant against such special

fund may bring suit or action against the city or town and compel such setting aside and payment.

"Sec. 5. The city council, or other corporate authorities of such city or town, in the event that general obligation bonds are issued in payment of all or any part of any system of sewerage and sewage treatment and disposal, or for refuse collection and disposal, shall have the right and authority by ordinance to provide for revenues by fixing rates and charges for the furnishing of such service to those receiving the same, which rates and charges shall be uniform for the same class of service, and payable on a quarterly or monthly basis. All property owners within the area served by such sewerage and disposal system may be compelled to connect their private drain and sewer system with such city or town system, under such penalty as such city council, or other corporate authorities of any such city or town, may direct by ordinance.

"Sec. 6. The city council, or other corporate authorities of such city or town, in the event that special indebtedness bonds or warrants are issued against the revenues of such sewerage and sewage treatment and disposal system, or for refuse collection and disposal, shall provide by ordinance for revenues by fixing rates and charges for the furnishing of such service to those receiving the same, which rates and charges shall be uniform for the same class of service, and payable on a quarterly or monthly basis, the total revenues to be estimated and based so as to be sufficient to take care of costs and maintenance, operation, interest and sinking fund requirements, and other charges incidental thereto; and such city council, or other corporate authorities, shall compel all property owners within the area served by such sewerage and disposal system to connect their private drains and sewer systems with such city or town system, under such penalty as the said council may direct by ordinance.

"Sec. 7. Cities and towns owning their own sewer systems are hereby granted a lien for delinquent and unpaid rates and charges for sewer service against the premises to which the same has been furnished. The city council, or other corporate authorities of such city or town, may provide by ordinance for the enforcement of said lien by cutting off city or town owned water against the premises to which such sewer service has been furnished, after the rates and charges become delinquent and unpaid, until such rates and charges are paid. In the event of a disputed account, and tender by the owner of the premises of the amount claimed by him to be due prior to the city discontinuing such a service, the right to so refuse service to any premises, shall not accrue until suit has been entered by the city, and judgment entered in such case.

"As an alternative method, the city council, or other corporate authorities of such city or town, may provide by ordinance for the enforcement of said lien by addition of penalties of not more than ten per cent to the regular service rates and charges, and may provide by ordinance that where service rates and charges are delinquent for any specified period of time, the city or town treasurer shall certify such delinquency to the county treasurer in the county in which such city or town is situated, and such rates and charges, and any penalties added thereto, and interest thereon at the rate of eight (8) per cent per annum from the date of such certificate, shall be a lien against such property, subject only to the lien for general taxes. Any such city or town shall have the right at any time after such rates and charges and penalties are delinquent for a period of sixty (60) days or more, to bring suit in foreclosure by civil action in the superior court of the State of Washington in the county in which such city or town is situated, and in such suit in the court may allow, in addition to interest on such rates and charges at the rate of eight per cent (8%) per annum from the date of delinquency, and costs and disbursements provided by statute, such attorneys' fees as the court may adjudge reasonable. Such suit or action shall be deemed to be a proceeding in rem, and one action may be brought in the name of such city or town against an individual, or against all of those who are so delinquent, as the city council, or other corporate authorities may deem best, and the statutes and rules of court shall control as in other civil actions.

"Sec. 8. Any city or town owning or operating its own sewer system, whenever topographic conditions shall make it feasible and whenever such existing sewer system shall be adequate therefor in view of the sewerage and drainage requirements of the property in such city or town, served or to be served by such system, may contract with any organized and established sewer district without the limits of any city or town, for the discharge into such city or town owned sewer system of sewage from any part or parts of such sewer district, upon such terms and conditions and for such periods of time as may be deemed reasonable.

"Sec. 9. This act shall not be construed or held to repeal, amend or modify any existing law, but shall be additional thereto and concurrent therewith for the purposes and objects in this act specified: *Provided, however,* That chapter 39 of the Session Laws of 1931 (section 9198-1 to 9198-7, inclusive, of Remington's Revised Statutes) be, and the same is hereby repealed.

"Sec. 10. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately."

EARL MAXWELL, *Chairman.*

We concur in this report: John H. Ferryman, Joseph Drumheller, A. E. Edwards, J. P. Keller.

On motion of Senator Maxwell, the report of the committee was received and the bill was read the third time.

Senator Maxwell moved the adoption of the committee amendments.

On motion of Senator Sieler, the following amendments to the amendment were adopted:

Amend the title by placing a period (.) after "1931" and striking the following: "and declaring an emergency."

Amend the committee amendment in section 10 by striking the entire section.

On motion of Senator Maxwell, the committee amendment as amended was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 483, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Drumheller, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sullivan, Thomas, Troy, Voyce and Wanamaker—34.

Those voting nay were: Senators Copeland, Dawson, Keeler, Morgan, Sieler and Stinson—6.

Absent or not voting: Senators Duggan, Edwards, Klemgard, McDonald, Rosellini and Todd—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Maxwell, Drumheller and Orndorff demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present except Senators Duggan, McAulay and McDonald.

On motion of Senator Maxwell, Senator McAulay was excused.

On motion of Senator Maxwell, the Senate proceeded under the call of the Senate.

Senator Kyle assumed the chair.

Senate Bill No. 427:

The Secretary read:

REPORT OF STANDING COMMITTEESenate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Social Security, to whom was referred Senate Bill No. 427, entitled: "An Act relating to the care, support and relief of needy persons; defining terms; providing necessary means and procedure for the furnishing of public assistance to such persons; defining need and resources to govern the determination of eligibility of persons to assistance under this act, and fixing the responsibility of certain relatives with respect to support of needy persons; creating and/or defining the powers and duties of certain state and county officers in connection with the administration of public assistance; providing for appeals in certain cases; imposing penalties for violations of the act; providing for the levy of taxes; making appropriations; repealing chapter 180, Laws of 1937 and all acts or parts of acts in conflict herewith, and declaring an emergency whereby the act shall become effective April 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 6, page 4, line 31 of the original bill, the same being section 6, page 3, line 25 of the printed bill, by striking the period (.) after the word "effected" and adding the following: "during which time the department shall have power to authorize and approve the expenditure of all public assistance funds within the county."

Amend section 8, page 7, line 5 of the original bill, the same being section 8, page 4, line 35 of the printed bill, by striking the words "case-load status" and inserting in lieu thereof the words "status of individual cases going to make up the case load".

Amend section 13, page 9, line 18 of the original bill, the same being section 13, page 6, line 5 of the printed bill, by inserting after the word "blind," and before the word "and" the words "assistance to other handicapped persons."

Amend section 16, page 10, line 11 of the original bill, the same being section 16, page 6, line 23 of the printed bill, by striking the period (.) following the word "law" and inserting in lieu thereof a comma (,) and the following words "rules or regulations."

Amend section 17, page 11, line 21 of the original bill, the same being section 17, page 7, line 10 of the printed bill, by inserting a comma (,) following the parenthesis and the following words: "sons and daughters of legal age".

Amend section 19, page 12, line 9 of the original bill, the same being section 19, page 7, line 25 of the printed bill, by striking the word "such" and inserting in lieu thereof the word "general".

Amend section 24, page 15, line 29 of the original bill, the same being section 24, page 9, line 21 of the printed bill, after the word "or" and before the word "stepchild" insert the word "minor".

Amend section 26, page 16, line 16 of the original bill, the same being section 26, page 9, line 35 of the printed bill, by striking the period (.) following the word "duties" and inserting in lieu thereof a semicolon (;) and adding the following: "but no officer or agency mentioned in this section shall have power to compel the production of any papers, books, records or documents which are in the custody of any other such officer or agency and within his or its power to provide voluntarily on request."

Amend section 30, page 17, line 5 of the original bill, the same being section 30, page 10, line 8 of the printed bill, by striking the whole thereof and inserting in lieu thereof the following:

"Sec. 30. There is hereby appropriated from the general fund for the biennium ending March 31, 1941, the sum of five hundred thousand dollars (\$500,000) to cover the re-expenditure of such funds as may be returned to the state under the provisions of section 10 of this act.

"Any moneys made available for the purposes of this act shall be devoted exclusively to the furnishing of assistance to needy persons as authorized and provided by this act, and no part of said moneys shall be used for the sponsorship, in whole or in part, of any public works or work relief project or undertaking."

J. M. KOONTZ, *Chairman.*

We concur in this report: Pearl A. Wanamaker, Earl Maxwell, John H. Ferryman, Fred S. Duggan, A. E. Edwards, Joe L. Keeler, Joseph Drumheller, Kebel Murphy, C. F. Stinson, James T. Sullivan, Geo. F. McAulay.

On motion of Senator Drumheller, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 427.

The bill was considered in the committee of the whole, Senator Orndorff in the chair, and reported back to the Senate with the recommendation that it do pass, as amended.

On motion of Senator Koontz, the report of the committee of the whole was adopted.

On motion of Senator Koontz, the committee amendments read in the committee of the whole were adopted.

On motion of Senator Kyle, the following amendment made in the committee of the whole was adopted:

Amend Sec. 8, page 7, line 1 of the original bill, being Sec. 8, page 4, lines 32 to 36 of the printed bill, by striking the proviso at the end of the section, and inserting in lieu thereof the following:

“Provided, That in preparing his quarterly budget for federal-aid assistance, the administrator shall include the aggregate of the individual case load approved by the department to date on the basis of need and the director and committee shall approve and allocate an amount sufficient to service the aggregate case load as included in said budget, and in the event any portion of the budgeted case load cannot be serviced with moneys available for the particular category for which an application is made the committee may on the administrator’s request authorize the transfer of sufficient general assistance funds to the appropriation for such category to service such case load and secure the benefit of federal matching funds.”

Senator Drumheller moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

On motion of Senator Drumheller, the rules were suspended and the Senate referred back for the purpose of receiving an amendment.

Senator Sullivan moved the adoption of the following amendment:

Amend section 19, line 31 of the printed bill: add section 19a to provide that any person charged with the carrying out of this act who shall wilfully violate any of the provisions of this act shall be guilty of a misdemeanor.

President Meyers assumed the chair.

On motion of Senator Koontz the amendment was laid on the table.

Senators Drumheller, Maxwell and Orndorff demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 427, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Troy and Wanamaker—35.

Those voting nay were: Senators Atkinson, Farquharson, Kerstetter, Kyle, Malstrom, Morgan, Rosellini, Sullivan, Thomas, Todd and Voyce—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

PROTEST

Senate Bill No. 427, Old Age Assistance, in section 17, page 6, Senate Bill 47 is written into this act, indicating a step backward in our progress. I wish to qualify my vote on S. B. 427 by stating I will oppose always the requirements contained in Sec. 17. I am compelled for that reason to vote against Senate Bill 427. I protest the lack of compromise in the drafting of this bill.

SENATOR G. B. KERSTETTER.

PROTEST

I wish to enter my protest against Senate Bill 427 by having my vote especially recorded in the journal of this day.

It is my conviction that this act is retrogressive legislation and unfair to the individuals within the groups it purports to serve. The criticism is particularly directed against Sec. 17.

SENATOR KATHRYN E. MALSTROM.

EXPLANATION

Section 17 of this bill (Senate Bill 427) contains the obnoxious provision of compelling family responsibility. There is no basis for such a provision. However, it appears to be the best that can be agreed upon by the members of the Senate and I, therefore, will not obstruct its passage.

HERBERT H. SIELER.

EXPLANATION

I voted against this bill (Senate Bill 427) as a protest of the re-enactment therein, in Sec. 17, of the old pauper's law, requiring relatives to support the aged. It is my hope that these protest notes will have some influence when this bill reaches the House of Representatives and that they will strike this section.

ALBERT D. ROSELLINI.

On motion of Senator Koontz, the rules were suspended and Senate Bill No. 427 was ordered engrossed and immediately transmitted to the House.

On motion of Senator Reardon, the further call of the Senate was dispensed with.

At 3:15 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 3:45 o'clock p. m.

The Senate reconvened at 3:45 o'clock p. m., Senator Reardon in the chair.

GENERAL FILE**Senate Bill No. 164:**

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 164, entitled: "An Act relating to the officers of the grand jury, defining their powers and duties, amending section 982, Code of 1881, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Albert D. Rosellini, Ralph Metcalf, Judson W. Shorett, Clifford O. Moe, Earl Maxwell, Herbert H. Sieler.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 164, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Kyle, Malstrom, Maxwell, McDonald,

McMillan, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Troy and Voyce—37.

Those voting nay were: Senator McAulay—1.

Absent or not voting: Senators Klemgard, Koontz, Lovejoy, Metcalf, Percival, Sullivan, Todd and Wanamaker—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Chair announced that at a meeting of the Rules Committee, Senate Bills Nos. 450, 237, 238, 433 and 209 were added to and placed on the calendar of the day.

Senate Bill No. 349:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 349, entitled: "An Act providing for the dissolution of commercial waterway districts when the obligations thereof have been paid.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 2 of the printed bill, being line 7 of the original bill, by striking the word "shall" and insert in lieu thereof the word "may".

Amend section 3, line 14 of the printed bill, being line 24 of the original bill, after the word "court" by striking the word "shall" and insert in lieu thereof the word "may".

FRED S. DUGGAN, *Chairman.*

We concur in this report: Earl Maxwell, Harold P. Troy, Clifford O. Moe, Leroy L. Todd, H. I. Kyle, Ralph Metcalf, Herbert H. Sieler, F. L. Morgan, Judson W. Shorett, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Kyle, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 349, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Sieler, Stinson, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Drumheller, Klemgard, McMillan, Schroeder, Shorett and Sullivan—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 441:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 441, entitled: "An Act relating to crimes and providing for technical research and assistance to the chief of the Washington State Patrol and prosecuting attorneys.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 7 of the printed bill, being line — of the original bill, by striking the colon (:) and inserting in lieu thereof a period (.), and striking the remainder of the section.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Albert D. Rosellini, Ralph Metcalf, Judson W. Shorett, Clifford O. Moe, Earl Maxwell, Herbert H. Sieler.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 441, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—39.

Absent or not voting: Senators Drumheller, Ferryman, Klemgard, McMullan, Schroeder, Shorett and Wanamaker—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 358:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 358, entitled: "An Act relating to water districts and providing for the acquiring, construction, maintenance, operation, development and regulation of street lighting systems thereby.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 2 of the printed bill, being line 8 of the original bill, by striking the comma (,) following "operate" and the comma (,) following the word "develop" and the words "and regulate" and by inserting the word "and" before the word "develop".

Amend the title by striking the words "and regulation" and inserting the word "and" before the word "development".

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Clifford O. Moe, Ralph Metcalf, Leroy L. Todd, H. I. Kyle, Geo. F. McAulay, Herbert H. Sieler, F. L. Morgan, A. M. Murfin, Earl Maxwell.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Maxwell, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 358, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Haddon, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Sieler, Stinson, Sullivan, Thomas, Voyce and Wanamaker—33.

Those voting nay were: Senators Dawson and Henderson—2.

Absent or not voting: Senators Drumheller, Ferryman, Holt, Klemgard, Malstrom, McMillan, Mills, Schroeder, Shorett, Todd and Troy—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 265:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 15, 1939.

MR. PRESIDENT:

We, your Committee on Compensation and Fees for State and County Officers, to whom was referred Senate Bill No. 265, entitled: "An Act relating to compensation and expenses of county commissioners in all counties where such commissioners are paid on a per diem basis, and repealing section 4053, Remington's Revised Statutes.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

N. P. ATKINSON, *Chairman.*

We concur in this report: Henry J. Copeland, D. E. McMillan, T. C. Bloomer, Paul G. Thomas, J. W. Henderson.

On motion of Senator Atkinson, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 265, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—35.

Those voting nay were: Senators Reardon and Roup—2.

Absent or not voting: Senators Drumheller, Duggan, Holt, Malstrom, McMillan, Mills, Schroeder, Shorett and Todd—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 448:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 448, entitled: "An Act relating to public highways; authorizing an investigation and survey for highways serving the Grand Coulee Dam vicinity; defining the powers and duties of the director of highways; providing for emergent construction; making an appropriation; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman.*

We concur in this report: Clifford O. Moe, Earl Maxwell, C. F. Stinson, J. M. Koontz, Thomas Voyce, Harold P. Troy, T. C. Bloomer, H. I. Kyle, Lulu D. Haddon, Geo. F. McAulay, Howard Roup, Joe L. Keeler, W. R. Orndorff, Ted F. Schroeder.

On motion of Senator Maxwell, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 448, also Senate Bill No. 475.

Senate Bill No. 448 was considered in the committee of the whole, Senator Duggan in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Kyle, the report of the committee of the whole was adopted.

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of Senate Bill No. 448, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 448, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Drumheller, Farquharson, Lovejoy, Reardon, Schroeder and Shorett—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 475:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to who was referred Senate Bill No. 475, entitled: "An Act appropriating five hundred thousand dollars (\$500,000) for the completion of Primary State Highway No. 5 through White Pass.", have had the same

under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

T. C. BLOOMER, *Vice Chairman*.

We concur in this report: Harold P. Troy, Herbert H. Sieler, J. W. Henderson, Clifford O. Moe, Joe L. Keeler, Pearl A. Wanamaker, Geo. F. McAulay, Howard Roup, C. F. Stinson, J. M. Koontz, H. I. Kyle, Lulu D. Haddon.

Senate Bill No. 475 was considered in the committee of the whole, Senator Duggan in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Kyle, the report of the committee was adopted.

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of Senate Bill No. 475, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 475, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Ferryman, Henderson, Kerstetter, Kyle, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—29.

Those voting nay were: Senators Drumheller, Edwards, Haddon, Holt, Keller, Klemgard, Koontz, McMillan, Roup and Wanamaker—10.

Absent or not voting: Senators Duggan, Farquharson, Keeler, Lovejoy, Roberts, Schroeder and Shorett—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator McAulay, the rules were suspended and Senate Bill No. 475 was ordered immediately transmitted to the House.

Senate Bill No. 431:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 431, entitled: "An Act relating to the assessment and collection of taxes and amending section 1 of chapter 17 of the Laws of 1937 (section 11278 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, page 2, line 10, of the original bill, the same being section 1, page 2, line 1, of the printed bill, after the word "by" and before the word "mail" strike the word "registered".

A. M. MURFIN, *Chairman*.

We concur in this report: Alfred E. Holt, W. R. Orndorff, Ralph Metcalf, James T. Sullivan, Harold P. Troy, Joseph D. Roberts, Albert D. Rosellini, N. P. Atkinson.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

On motion of Senator Murfin, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 431, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Ferryman, Haddon, Henderson, Holt, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Duggan, Farquharson, Keeler, Keller, Klemgard, Roberts and Roup—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 432:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 432, entitled: "An Act relating to the duties of county auditors and county treasurers in connection with transfers and conveyances of real property.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Ralph Metcalf, Geo. F. McAulay, H. I. Kyle, Herbert H. Sieler, F. L. Morgan, A. M. Murfin, Leroy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 432, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Ferryman, Haddon, Henderson, Holt, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Duggan, Farquharson, Keeler, Keller, Moe and Reardon—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 195:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Dairy and Livestock, to whom was referred Senate Bill No. 195, entitled: "An Act relating to explosives, prohibiting blasting in settled communities without notice, and declaring the violation thereof to be a misdemeanor.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, line 7 of the original bill, the same being section 1, line 2 of the printed bill, by striking the words "settled community" and inserting in lieu thereof the words "inhabited locality".

Amend section 1, line 10 of the original bill, the same being section 1, line 3 of the printed bill by striking the period (.) after the word "done" and inserting in lieu thereof a colon (:) and adding the following: "Provided, however, This act shall not apply to any blasting necessary to preserve life or protect property in case of an emergency."
 LEROY L. TODD, *Chairman*.

We concur in this report:

Senate Chamber,
 Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Dairy and Livestock, to whom was referred Senate Bill No. 195, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman*.

We concur in this report: Chapin A. Mills, Monty Percival, Herbert H. Sieler, J. M. Koontz.

On motion of Senator Todd, the reports of the committee were received and the bill was read the third time.

On motion of Senator Todd, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 195, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Dawson, Edwards, Farquharson, Ferryman, Haddon, Henderson, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Murphy, Reardon, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—30.

Those voting nay were: Senators Copeland, Drumheller, Duggan, Holt, Koontz, Mills, Morgan, Murfin, Orndorff and Percival—10.

Absent or not voting: Senators Keeler, Keller, Moe, Roberts, Roup and Wanamaker—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 450:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
 Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 450, entitled: "An Act relating to transportation by motor vehicles, defining terms and amending section 2 of chapter 166 of the Laws of 1937 (section 6382-2 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.
 J. P. KELLER, *Chairman*.

We concur in this report: Joe L. Keeler, W. R. Orndorff, Clifford O. Moe, C. F. Stinson, J. W. Henderson, Howard Roup, Thomas Voyce, H. I. Kyle, J. M. Koontz, T. C. Bloomer.

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 450, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: Earl Maxwell.

On motion of Senator Keller, the reports of the committee were received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 450, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Those voting nay were: Senators Dawson, Kerstetter, Maxwell and Morgan—4.

Absent or not voting: Senators Duggan, Keller, Moe and Roup—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 237:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, a part of your Committee on Public Morals, to whom was referred Senate Bill No. 237, entitled: "An Act relating to temporary licenses for public, state and county fairs, and carnivals; providing for licensing of collective games and contests of mixed skill and chance such as beano and similar games and contests; prescribing penalties; repealing all acts and parts of acts in conflict therewith; and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

....., *Chairman.*

We concur in this report: Joseph D. Roberts, Albert D. Rosellini, T. C. Bloomer.

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, a part of your Committee on Public Morals, to whom was referred Senate Bill No. 237, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Fred S. Duggan, N. P. Atkinson.

On motion of Senator Ferryman, the reports of the committee were received and the bill was read the third time.

Senators Maxwell, Edwards and Roberts demanded the previous question.

The Chair announced the question now before the Senate is: "Shall the previous question be sustained?"

The previous question was not sustained.

On motion of Senator Kyle, the following amendment was adopted:

Amend section 2, line 12 of the printed bill, being line 22 of the original bill, strike the words "or fair."

Senators Roberts, Kerstetter and Murfin demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 237, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bloomer, Edwards, Lovejoy, Maxwell, McAulay, Roberts, Rosellini, Sieler, Stinson, Sullivan and Troy—11.

Those voting nay were: Senators Atkinson, Copeland, Dawson, Duggan, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Malstrom, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Schroeder, Shorett, Thomas, Todd and Wanamaker—29.

Absent or not voting: Senators Drumheller, Keller, McMillan, Moe, Roup and Voyce—6.

Senate Bill No. 237, having failed to receive the constitutional majority, was declared lost.

Senate Bill No. 238:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate Bill No. 238, entitled: "An Act providing for and regulating the recount of ballots and the canvass of votes registered on voting machines at any election held within the state.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

KEBEL MURPHY, *Chairman.*

We concur in this report: Pearl A. Wanamaker, H. I. Kyle, James T. Sullivan, Chapin A. Mills, Fred S. Duggan, A. E. Edwards, Monty Percival.

On motion of Senator Murphy, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 238, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Malstrom, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Those voting nay were: Senators Lovejoy, Maxwell and McAulay—3.

Absent or not voting: Senators Keller, Klemgard and Moe—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senate Bill No. 209:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Senate Bill No. 209, entitled: "An Act relating to education, providing for school revenues and disbursements, amending section 4 of chapter 28 of the Session Laws of 1933 (section 4934 of Remington's Revised Statutes) and section 3 of chapter 28 of the Laws of 1933 (section 4719 of Remington's Revised Statutes) and section 2 of chapter 90 of the Laws of 1919 (section 4764 of Remington's Revised Statutes) and section 8 of chapter 179 of the Laws of 1937 (section 4925-28 of Remington's Revised Statutes) and repealing sections 4713; 4714; 4715; 4716; 4717; 4720; 4877; 4878 and 4680-1.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass., *Chairman.*

We concur in this report: Mary Farquharson, Keiron W. Reardon, Geo. F. McAulay, Kathryn E. Malstrom.

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Education, to whom was referred Senate Bill No. 209, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

LULU D. HADDON, *Chairman.*

We concur in this report: Pearl A. Wanamaker, Gordon Klemgard.

On motion of Senator Haddon, the reports of the committee were received and the bill was read the third time.

Senator Sieler assumed the chair.

Senators Roberts, Percival and McDonald demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present except Senators Drumheller, Duggan, Edwards, Keller, Klemgard, Kyle, Maxwell, Moe and Todd.

Senator Reardon moved that the Senate dispense with the further call of the Senate.

The motion by Senator Reardon failed to carry.

The Sergeant-at-Arms was ordered to bring the absent Senators to the floor of the Senate.

The President announced all members present.

On motion of Senator Roberts, the Senate proceeded under the call of the Senate.

Senator Haddon moved that Senate Bill No. 209 be indefinitely postponed. Senators Farquharson, Kyle, Murphy, Kerstetter, Thomas, Morgan, Atkinson and Sullivan demanded a roll call.

The roll call was ordered.

The Secretary called the roll and the motion by Senator Haddon carried by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Troy and Wanamaker—33.

Those voting nay were: Senators Farquharson, Henderson, Kerstetter, Kyle, Malstrom, McAulay, Moe, Morgan, Murphy, Reardon, Thomas, Todd and Voyce—13.

On motion of Senator Drumheller, the Senate referred back to the first order of business for the purpose of receiving a resolution.

The Secretary read:

Senate Concurrent Resolution No. 5, by Senator Schroeder:

Be It Resolved, By The Senate and House of Representatives of The State of Washington in Legislative Session Assembled:

THAT, WHEREAS, the committee appointed by the Senate to investigate conditions in the production and distribution of milk and milk products has reported that from their investigations, as yet incomplete, it is evident that there are serious maladjustments in the milk industry warranting further investigation and that the conditions in the industry are a serious handicap to producers and consumers of milk and milk products in many portions of the state;

Now, Therefore, *Be It Resolved*, That a committee composed of two members of the Senate, to be selected by the President thereof, and one member of the House of Representatives, to be selected by the Speaker thereof, be appointed for the purpose of conducting a further investigation of the production and distribution of milk and milk products in this state, and

Be It Further Resolved, That said committee be authorized to hold hearings at such places and times as may be convenient or desirable, to examine witnesses, make studies, and thoroughly explore conditions existing in the milk industry, and report back to the Legislature at its next session with definite recommendations for the correction and improvement of economic conditions affecting milk producers and consumers in this state.

On motion of Senator Drumheller, the first reading of Senate Concurrent Resolution No. 5 was considered the second and third reading and the resolution was placed on final passage.

The Chair announced that the question before the Senate is the adoption of the resolution.

On motion of Senator Drumheller, Senate Concurrent Resolution No. 5 was adopted.

MOTION

On motion of Senator Reardon, the Secretary of the Senate and the Sergeant-at-Arms were instructed to relieve as many employees of the Senate as possible so that they may attend the Legislative Ball to be given this evening.

GENERAL FILE

Senate Bill No. 433:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 433, entitled: "An Act making appropriations for the purchase of land, construction of

buildings and improvements at designated state institutions; for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices; for the relief of certain individuals, corporations, counties and municipalities, for refunds and for deficiencies and for emergencies, including deficiencies and appropriation of revolving funds, and for purposes specified in certain acts of Congress, and for miscellaneous purposes designated for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, defining terms, limiting allowances and compensation, and providing this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Add two new sections to be known as Sec. 2 and Sec. 3, to read as follows:

SEC. 2. FROM THE GENERAL FUND

FOR THE CENTRAL WASHINGTON COLLEGE OF EDUCATION:		
Training School Building and Equipment.....	\$94,600.01	
Furnishings and Seating Equipment in Auditorium.....	21,263.92	
		\$115,893.93
(Being the reappropriation of the unexpended balance of appropriations made for like purposes by chapters 230 and 231, Laws of 1937)		
FOR THE EASTERN WASHINGTON COLLEGE OF EDUCATION:		
Library Building, Additional Boiler Capacity and Purchase of Land.....		\$188,807.91
(Being the reappropriation of the unexpended balance of appropriation made for the purpose by chapter 230, Laws of 1937.)		
FOR THE WESTERN WASHINGTON COLLEGE OF EDUCATION:		
Capital Outlays, Major Repairs and Betterments.....		\$15,796.39
(Being the reappropriation of the unexpended balance of appropriation made for the like purpose by chapter 230, Laws of 1937)		
FOR THE STATE CAPITOL COMMITTEE:		
From the General Fund.....	300,000.00	
From the Capitol Building Construction Fund.....		\$620,498.23
Construction of additional unit to capitol group, including preparation of site and removal of old buildings (Being the reappropriation of the unexpended balances of appropriations made for the like purposes by chapter 230, Laws of 1937)	458,559.21	

FROM THE CAPITOL BUILDING CONSTRUCTION FUND

FOR THE STATE CAPITOL COMMITTEE:		
Construction of additional unit to capitol group, including preparation of site and removal of old buildings	\$158,559.21	
Purchase of Land adjoining Capitol Group.....	6,500.00	
Revision of Roadways and Walks.....	11,057.69	
Des Chutes Water Basin Improvement.....	147,557.15	
Purchase of Land for Capitol Additions.....	23,869.75	
		\$347,543.80
(Being the reappropriation of the unexpended balances of appropriations made for the like purposes by chapters 159, 160 and 230, Laws of 1937)		
FOR THE LADIES OF THE GRAND ARMY OF THE REPUBLIC HOME at Puyallup, Washington (payable quarterly).....		\$3,000.00
FOR THE DEPARTMENT OF SOCIAL SECURITY:		
Grants-in-aid		\$398,869.09
(Being the reappropriation of the unexpended balance of grants and allotments made from the appropriation and reappropriation to the Department of Social Security by chapters 180 and 231, Laws of 1937)		

FROM THE PARKS AND PARKWAY FUND

FOR THE STATE PARKS COMMITTEE:

Purchase or condemnation of real estate situated in San Juan County, State of Washington: The E½ of the SW¼ and the W½ of the SE¼ of Sec. 20 in Township 37, Range 1 W.W.M.....	\$1,800.00
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FROM THE GENERAL FUND

FOR THE BOARD OF PRISON TERMS AND PAROLES:

Salaries and Wages.....	\$9,800.00
Operations	8,630.00
	\$18,430.00

ALLOCATION OF GENERAL GOVERNMENT OVERHEAD EXPENSE

FROM THE ACCIDENT FUND	\$130,866.08
FROM THE STATE ATHLETIC FUND.....	348.70
FROM THE BELLINGHAM NORMAL SCHOOL FUND.....	4,642.73
FROM THE CAPITOL BUILDING CONSTRUCTION FUND.....	6,149.18
FROM THE CHENEY NORMAL SCHOOL FUND.....	4,510.17
FROM THE COMMISSION MERCHANTS FUND.....	848.51
FROM THE ELLENSBURG NORMAL SCHOOL FUND.....	3,603.01
FROM THE FEDERAL CO-OP. AGRICULTURAL EXT. FUND.....	2,356.29
FROM THE FEDERAL EXPERIMENT STATION FUND.....	2,145.12
FROM THE FEED AND FERTILIZER FUND.....	417.11
To be transferred to the credit of the State General Fund, covering service charges.....	\$155,886.90

FROM THE GENERAL FUND

FOR THE GOVERNOR'S OFFICE:

Contingency and emergency purposes to be disbursed on vouchers approved by the governor for services under contract between the Federal government and any state department or board whose functions are temporarily held in abeyance by court action, including deficiencies	\$14,758.72
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(The State Board for Vocational Education is hereby authorized to reimburse any other state fund for expenditures made therefrom for vocational education purposes from the appropriations made to it in House Bill 450, using either the current school fund for salaries, wages and operations or from the U. S. Vocational Education fund or a combination of both such appropriations.)

ALLOCATION OF GENERAL GOVERNMENT OVERHEAD EXPENSE

FROM THE FISHERIES FUND	\$4,285.47
FROM THE GAME FUND	17,316.87
FROM THE GRAIN AND HAY INSPECTION FUND.....	3,122.34
FROM THE HIGHWAY EQUIPMENT FUND.....	41,710.59
FROM THE HIGHWAY SAFETY FUND.....	55,528.47
FROM THE LEWIS RIVER HATCHERY FUND.....	317.48
FROM THE MEDICAL AID FUND.....	28,506.79
FROM THE MILLERSYLVANIA PARK FUND.....	4.47
FROM THE MORRILL FUND	1,191.73
FROM THE MOTOR VEHICLE FUND.....	642,867.56
	\$794,851.77

FOR JUDGMENTS

FROM THE GENERAL FUND

*ACME FINANCE COMPANY, judgment for costs in re: Acme Finance Company, a Corporation, vs. Harry C. Huse, Director of Licenses et al., Thurston County No. 17105.....	\$124.90
ASSOCIATED STUDENTS, University of Washington, judgment for costs in re: Associated Students, University of Washing-	

ton vs. H. H. Henneford et al., as Tax Commission, State of Washington, Thurston County No. 16173.....	21.00
ASSOCIATED STUDENTS, State College of Washington, judgment for costs in re: Associated Students, State College of Washington vs. H. H. Henneford et al., as Tax Commission of Washington, Thurston County No. 16174.....	21.00
ELLIS C. AYER, Thurston County Clerk, judgment for costs in re: State ex rel. G. W. Hamilton, Atty. General vs. Ellis C. Ayer, Thurston County Clerk.....	79.50
BANK OF CALIFORNIA, Trustee, judgment for costs in re: In the matter of the estate of Wm. F. Sheard, deceased, Pierce County No. 25866.....	114.85
PHILLIP BRONSON, judgment for costs in re: Philip Bronson vs. H. H. Henneford et al., as State Tax Commission, and E. Lloyd Nelson, Intervener Thurston County No. 16161..	145.06
CARLISLE LUMBER Co., judgment for costs in re: Carlisle Lumber Co. vs. H. H. Henneford et al., as Tax Commission of Washington, Thurston County No. 16179.....	70.03
GREAT NORTHERN RAILWAY Co., judgment for costs in re: State of Washington vs. Great Northern Railway Co., Thurston County No. 15417.....	47.25
GWIN, WHITE & PRINCE Inc., judgment for costs in re: Gwin, White & Prince Inc. vs. Harold H. Henneford et al., Thurston County No. 16434.....	238.45
JACKSON, H. V., Administrator, judgment for costs in re: Estate of Frank Latmer, deceased, vs. William H. Pemberton, Supervisor Inheritance Tax Division, Pierce County No. 26334.....	46.10
LEFEVRE, J. L., individually and as executor of the estate of Nellie F. LeFevre, deceased, judgment, interest and costs in re: J. P. LeFevre et al. vs. State of Washington, Spokane County No. 97906.....	3,959.30
E. LLOYD NELSON, judgment for costs in re: Philip Bronson vs. H. H. Henneford et al., as the State Tax Commission and E. Lloyd Nelson, Intervener, Thurston County No. 16161	55.00
NORTHERN PACIFIC RAILWAY Co., judgment for costs in re: State of Washington vs. Northern Pacific Railway Co., Thurston County No. 16428.....	239.77
PACIFIC TELEPHONE & TELEGRAPH Co., judgment for costs in re: State of Washington vs. Pacific Telephone & Telegraph Co., Thurston County No. 17199.....	214.15
PACIFIC TELEPHONE & TELEGRAPH Co., judgment for costs in re: Pacific Telephone & Telegraph Co. vs. Tax Commission, State of Washington, Thurston County No. 17701.....	228.25
PETROLEUM NAVIGATION Co., judgment for costs in re: Petroleum Navigation Co. vs. H. H. Henneford et al., as Tax Commission of Washington, Thurston County No. 16189..	72.40
PORT OF PORT ANGELES, judgment for costs in re: Port of Port Angeles et al. vs. H. H. Henneford et al., as Tax Commission of Washington, Thurston County No. 16525.....	250.44
THOMPSON SECURITIES COMPANY, judgment for costs in re: Acme Finance Company, a Corporation, vs. Harry C. Huse, Director of Licenses et al., Thurston County No. 17105	92.75
WEYERHAEUSER TIMBER Co., judgment for costs in re: Weyerhaeuser Timber Co. vs. H. H. Henneford et al., as Tax Commission of Washington, Thurston County No. 16180..	86.80
MORRIS WILLIAMS, judgment for costs in re: Morris Williams vs. G. W. Hamilton, Atty. General et al., Thurston County No. 17155.....	106.30

ALLOCATION OF GENERAL GOVERNMENT OVERHEAD EXPENSE

FROM THE NORMAL SCHOOL CURRENT FUND.....	\$1,280.52	
FROM THE NURSERY INSPECTION FUND.....	252.65	
FROM THE OYSTER RESERVE FUND.....	74.78	
FROM THE PARKS AND PARKWAY FUND.....	644.37	
FROM THE PENITENTIARY REVOLVING FUND.....	5,362.79	
FROM THE PUBLIC SERVICE REVOLVING FUND.....	27,320.25	
FROM THE PUGET SOUND PILOTAGE FUND.....	47.87	
FROM THE RECLAMATION REVOLVING FUND.....	2,301.89	
FROM THE REFORMATORY REVOLVING FUND.....	1,882.94	
FROM THE STATE COLLEGE OF WASHINGTON BUILDING FUND.....	2,085.53	
		\$41,253.39

FROM THE HIGHWAY SAFETY FUND

ALEXANDER, J. F., judgments for damages and costs in re: Matter of J. F. Alexander vs. Ed Robinson, King County No. 297049		\$1,591.00
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FROM THE MOTOR VEHICLE FUND

TELANDER CONSTRUCTION COMPANY, balance of unpaid judgment, costs and interest re: Telander Construction Company vs. State of Washington, Thurston County No. 15466, for which insufficient appropriation was made by the Legislature of 1937. Assigned to Tom W. Holman, Attorney..		\$483.51
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FROM THE PUBLIC SERVICE REVOLVING FUND

CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD Co., judgment and costs in re: Chicago, Milwaukee, St. Paul & Pacific Railroad Co. vs. State of Washington, Thurston County No. 14911.....	\$8,884.74	
GREAT NORTHERN RAILWAY Co., judgment and costs in re: Great Northern Railway Co. vs. State of Washington, Thurston County No. 14908.....	25,978.52	
NORTHERN PACIFIC RAILWAY Co., judgment and costs in re: Northern Pacific Railway Co. vs. State of Washington, Thurston County No. 14909.....	47,716.20	
OREGON, WASHINGTON RAILROAD AND NAVIGATION Co., judgment and costs in re: Oregon, Washington Railroad and Navigation Co. vs. State of Washington, Thurston County No. 14910	3,779.60	
		\$46,359.06

LOCAL IMPROVEMENT ASSESSMENTS

Sundry Municipalities, for Local Improvement Assessments Against State-Owned Lands as Follows:

FROM THE GENERAL FUND

FOR THE TREASURER OF THE CITY OF OLYMPIA: Local Improvement Districts Nos. 75, 87, 95, 126, 274, 388, 397 and 416.....	\$12,927.78	
FOR THE TREASURER OF THE CITY OF SEATTLE: Ordinance 12502 Local Improvement Districts Nos. 895, 1187, 1542, 1700, 2075, 2133, 2428, 2495, 2518, 2569, 2560, 2742, 2754, 2805, 2893, 3053, 3151, 3240, 3268, 3275, 3277, 3289, 3290, 3425, 3709, 4095, 4268, 4519, 4564, 4616, 4732, 4751, 4917, 4934, 4995, 5199, 5282, 5346, 5363, 5374, 5402, 5422 and 5423.....	27,325.55	
FOR THE TREASURER OF THE CITY OF SPOKANE: Local Improvement Districts Nos. 2248, 2266, 2276, 2288, 2289, 2290, 2293, 2296, 2320 and 2333.....	2,670.61	

FOR THE TREASURER OF BENTON COUNTY:		
Priest Rapids Irrigation District.....	\$5,515.01	
Sunnyside Irrigation District.....	4,543.79	
Sunnyside Valley Irrigation District.....	1,120.24	
Yakima-Benton Irrigation District.....	157.60	
Drainage District No. 6.....	250.87	
	<u> </u>	11,587.51
FOR THE TREASURER OF COWLITZ COUNTY:		
Diking Districts Nos. 5, 11 and 15.....		959.58
FOR THE TREASURER OF GRAYS HARBOR COUNTY:		
Drainage District No. 4.....		1,271.82
FOR THE TREASURER OF ISLAND COUNTY:		
Drainage District No. 3.....		21.26
FOR THE TREASURER OF KITITTAS COUNTY:		
Kittitas Reclamation District.....		2,481.00
FOR THE TREASURER OF KLICKITAT COUNTY:		
White Salmon Irrigation District.....		20.00
FOR THE TREASURER OF KING COUNTY:		
Drainage Districts Nos. 1 and 6.....	\$39.15	
Escheats Nos. 160, 171, 173, 182A, 182B, 191A, and 191B	618.26	
Commercial Waterway District No. 1.....	69.17	
Commercial Waterway District No. 2.....	3.34	
	<u> </u>	729.92
FOR THE TREASURER OF OKANOGAN COUNTY:		
Methow Irrigation District.....	33.63	
Whitstone Reclamation District.....	3,205.00	
Wolf Creek Reclamation District.....	265.00	
	<u> </u>	3,503.63
FOR THE TREASURER OF PEND OREILLE COUNTY:		
Diking District No. 2.....		60.66
FOR THE TREASURER OF SKAGIT COUNTY:		
Diking Districts Nos. 1, 5 and 15, Drainage Nos. 14 and 15		411.18
FOR THE TREASURER OF THURSTON COUNTY:		
Drainage District No. 7.....	20.70	
Joint Drainage Improvement Dist. No. 7.....	191.16	
	<u> </u>	211.86
FOR THE TREASURER OF YAKIMA COUNTY:		
Drainage District No. 32.....	793.64	
Sunnyside Valley Irrigation District.....	122.44	
Yakima-Benton Irrigation District.....	191.90	
Drainage Districts Nos. 37 and 41.....	1,226.81	
Summitview and Tieton Road Improvement District	355.54	
Nob Hill and Ahtanum Road.....	796.98	
Buena Toppenish Road.....	45.76	
	<u> </u>	3,533.07
FOR THE TREASURER OF THE CITY OF CENTRALIA:		
Local Improvement District No. 64.....		141.41
FOR THE TREASURER OF WAHKIACUM COUNTY:		
Diking District No. 1.....	571.20	
Diking Improvement District No. 4.....	33.70	
	<u> </u>	604.90
FOR THE TREASURER OF WHATCOM COUNTY:		
Drainage District No. 7.....		50.65
	<u> </u>	
		\$68,512.39

FROM THE CAPITOL BUILDING CONSTRUCTION FUND

FOR STATE CAPITOL COMMITTEE:

For Des Chutes Water Basin Improvement.....	\$98,000.00	
For planting lawn and shrubbery around Social Security and new building.....	2,500.00	
		<u>\$100,500.00</u>

FROM THE TEACHERS' RETIREMENT FUND

FOR THE STATE TEACHERS' RETIREMENT SYSTEM:

To reimburse the General Fund for disbursement made on account of the Teachers' Retirement Fund..		\$10,000.00
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FROM THE GENERAL FUND

FOR THE STATE LIBRARY:

Salaries, Wages and Operations.....	\$5,900.00	
(To insure Federal Funds)		

FOR THE STATE SCHOOL EQUALIZATION FUND (\$1,000,000.00) to be available for immediate distribution and (\$400,000.00) to be available for apportionment distribution during balance of the current school year.....	1,400,000.00	
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FOR DISTRIBUTION OF FUNDS RECEIVED UNDER THE FEDERAL ACT OF JUNE 28, 1934, 48 Stat. 1273, Section 10. These funds to be distributed to counties from which receipts were derived	5,000.00	
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FOR BOARD OF PRISON TERMS AND PAROLES:

Salaries & Wages.....	9,800.00	
Operations	8,630.00	
		<u>18,430.00</u>

(Requested to cover transportation of prisoners, etc.)

FOR RETIREMENT FUND, Judges of the Supreme and Superior Courts, Deficiency.....	1,800.00	
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FOR THE CENTRAL WASHINGTON COLLEGE OF EDUCATION:

Purchase of Dormitories and/or Student Activities Buildings	160,500.00	
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\$1,591,630.00

ALLOCATION OF GENERAL GOVERNMENT OVERHEAD EXPENSES

FROM THE TEACHERS' RETIREMENT SYSTEM FUND.....	\$31,029.10	
FROM THE U. S. VOCATIONAL EDUCATION FUND.....	6,753.72	
FROM THE UNIVERSITY OF WASHINGTON FUND.....	42,107.25	
FROM THE UNIVERSITY OF WASHINGTON BUILDING FUND.....	9,307.42	
FROM THE VOLUNTEER FIREMAN'S RELIEF AND COMPENSATION FUND	440.94	
FROM THE WASHINGTON STATE COLLEGE FUND.....	20,851.70	
FROM THE WESTERN WASHINGTON STATE CUSTODIAL SCHOOL REVOLVING FUND	595.87	
		<u>\$111,086.00</u>

To be transferred to the credit of the State General Fund, covering services charges.

FROM THE HIGHWAY SAFETY FUND

For the relief of the following individuals, firms and corporations:

ELECTRIC STORAGE BATTERY Co., supplies furnished in previous biennium to Washington State Patrol.....	\$22.46	
GOODYEAR TIRE & RUBBER Co., supplies furnished in previous biennium to Washington State Patrol.....	1.87	
KRIENKE MOTOR Co., supplies furnished in previous biennium to Washington State Patrol.....	19.95	
MASON, WALSH, ATKINSON, KIER Co., services furnished in previous biennium to State Patrol.....	8.40	
MARFORD-BLANGY MOTORS, Inc., supplies furnished in previous biennium to Washington State Patrol.....	3.19	

SHELTON GARAGE, supplies and services furnished in previous biennium to Washington State Patrol.....	8.00	
SMITH, ARCHIBALD C., personal injuries suffered in collision with a State Patrol car December 27, 1937.....	1,733.57	
VALVOLINE OIL Co., supplies furnished in previous biennium to Washington State Patrol.....	117.59	
		\$1,915.03

FROM THE MOTOR VEHICLE FUND

ADAMS, MRS. EVELYN, personal injuries received in accident near Kelso, July 25, 1938.....	\$215.00
BALDWIN, RALPH R., refund of tax on 528 gallons of gasoline	26.40
BALLANTYNE, D. J., damages to automobile caused by inadvertence of employee of Department of Highways	7.50
BRANHAM Co., BEN P., 10 reference books delivered January 1937, F. R. Marshall No. 126638, voucher submitted subsequent to March 31, 1937.....	7.50
BROMMER BROS., damages sustained by uncontrolled fire set by Maintenance employees of State Department of Highways	50.00
CAPITAL STATIONERS, INC., carbon paper furnished September, 1936, on purchase order 247033, voucher submitted subsequent to March 31, 1937.....	4.75
CHEHALIS WESTERN RAILROAD Co., refund of tax on 300 gallons of gasoline.....	15.00
CITIZENS' UTILITIES Co., electric service for February and March, 1937, vouchers submitted subsequent to March 31, 1937 (Spokane).....	2.50
CITY OF BELLINGHAM, Treasurer of, delinquent local improvement assessments on R/W purchase by the State Department of Highways.....	1,868.05
CLERK OF THURSTON COUNTY, court fees from January 1, 1935, to March 31, 1937, cases supported by sworn vouchers	265.40
COLUMBIA & OKANOGAN NURSERY Co., water bill of October 1936, voucher submitted subsequent to March 31, 1937	12.00
DAVIS & WHITE, INC., refund of tax on 1701 gallons of gasoline	85.05
DEVEREAUX, KEITH, refund of tax on 168 gallons of gasoline	16.75
DUNBAR, LUTHER, damages to automobile sustained in collision with State Highway equipment near Entiat, Washington, December 27, 1936.....	59.94
ELWAY, HARRY, damages to automobile sustained in collision with State Highway equipment September 21, 1937	150.00
FAIRBANKS, MORSE & COMPANY, supplies purchased by Director of Highways, October 25, 1937.....	207.38
GAINES, HENRY L., refund of tax on 82 gallons of gasoline	4.10
GRANGE SUPPLY COMPANY, Inc., of Odessa, Washington, 1764 gallons of gasoline.....	88.20
GREAT NORTHERN RAILWAY COMPANY, damages sustained in connection with the killing of certain livestock by a Great Northern Railway train near Winesap, Washington, December 14, 1936.....	23.23
GREAT NORTHERN RAILWAY COMPANY, repairs to railroad bridge near Brewster, Washington, damaged by a State Highway truck.....	53.22
GREEN, A. C., damages to automobile tire sustained in connection with an accident on State Highway No. 101 near Port Angeles, Washington, September 1, 1938	14.19
ERICKSON, E. R., refund of sales tax on materials used on contract which was under way during enactment of law	2,394.06

HAINES, FRANCIS M. AND CADDIE, damages to automobile and personal injuries suffered in accident State Highway No. 10 in Douglas County, November 21, 1937...	1,978.30
HOME INSURANCE Co., (Chester Chase), damages to automobile sustained in collision with State Highway equipment near CleElum, Washington, February 10, 1938	125.25
HOWARD, FRANK L., damages sustained in collision with State Highway truck, December 21, 1938.....	25.00
KALMBACH, J. E., water rent for January, February and March, 1937 (Vancouver) vouchered subsequent to March 31, 1937.....	3.60
LARSEN, HARRY, damages sustained in collision with State Highway equipment, January 30, 1937.....	13.95
LAWSON, W. H., 200 yards of gravel sold to Highway Department in June & July 1936. Vouchered June 25, 1938	10.00
LINSCOTT, P. A., damages sustained in collision with State Highway equipment December 23, 1938.....	21.50
MARCHANT CALCULATING MACH., repairs to calculator Dec. 1936 (Seattle), vouchered subsequent to March 31, 1937	4.20
MOORE, BEN, refund of tax on 508 gallons of gasoline.....	25.40
MORRELL, MARJORIE, damages sustained in collision with State Highway equipment on Highway No. 3 near Oakesdale, Washington, September 28, 1937.....	83.25
MOTOR LIST Co., Inc., 1937 license directory furnished in February 1937, (Seattle), vouchered subsequent to March 31, 1937.....	30.00
NICHOLS, HAROLD, damages to automobile sustained in collision with State Highway equipment January 17, 1939	33.60
NORTHWEST TESTING LABORATORIES, inspection and testing materials, February, March, April and June 1936, vouchered subsequent to March 31, 1937.....	692.44
NORTHWEST TESTING LABORATORIES, services rendered Department of Highways in October and November 1936, vouchered subsequent to March 31, 1937.....	39.19
OTT, RICHARD B., damages to automobile sustained in collision with State Highway equipment near Tyler, Washington, September 20, 1937.....	353.38
PALMER, P. C., damages sustained in collision with State Highway Equipment January 28, 1939.....	12.42
PHILLIPS, J. C., ambulance service for Vane Thomas from Davenport to Spokane, February 1937, vouchered subsequent to March 31, 1937.....	20.00
POLSON LOGGING Co., refund of tax on 19,884 gallons of gasoline	994.20

For the Relief of the Following Individuals, Firms and Corporations:

FROM THE CURRENT SCHOOL FUND

CLERK OF THURSTON COUNTY, court fees from January 1, 1935 to March 31, 1937 Case 16314.....	9.00
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FROM THE FISHERIES FUND

ARTISAN'S COOPERATIVE COMMUNITY, refund of wholesale dealer's license for the year 1936.....	\$10.00
BECK, Co. O., refund of duplicate payment for gill net license for the year 1938.....	15.00
CLERK OF THURSTON COUNTY, court fees from January 1, 1935, to March 31, 1937, cases 15784, 16278, 16380 and 16466	20.80

FISH COMMISSION OF OREGON, refund of tax on fish collected in error from E. M. Johnson.....	122.89
GIZDAVICH, JOHN, refund of tax collected on fish in error..	223.88
METCALF, M. E., collision with equipment of the Fisheries Department, December 10, 1938.....	200.00

592.57

FROM THE GAME FUND

BELL-WYMAN COMPANY, supplies furnished Game Department in previous biennium.....	\$134.99
DECKETT, W. C., damages to automobile and personal injuries received in collision with Game Department, January 5, 1938.....	660.00
KLOBUCHER, MARK EDWARD, for injuries suffered as a result of accident in which a car driven by Department of Game was involved December 15, 1933.....	4,000.00
RUDE, FRED O., cost of repairs to residence at Deep Creek, Washington, damaged by State Game Truck, September 1, 1937.....	4,828.49

FROM THE GENERAL FUND

ABBOTT, CHARLES W., refund of pharmacist's license fee for the year 1934.....	10.00
ADMINISTRATRIX OF THE ESTATE OF STEPHEN MATTHEWS, refund of cash escheated to the State of Washington.....	3,021.48
ALLSTRUM PRINTING Co., refund of corporation license fee for the year 1937.....	15.00
AMERICAN PLUMBING & STEAM SUPPLY Co., supplies furnished Washington State Penitentiary in previous biennium.....	12.86
ANDERSON, CHRISTINA, refund of payment made on state timber contract made under application No. 12091, bill of sale No. 1569, dated April 15, 1924.....	700.00
BALLARD LODGE No. 827, B. P. O. E., refund of inheritance tax in the matter of the bequest of Charles Edward Thorpe.....	50.00
BORN, HARRY, damages sustained in collision with State equipment on Capitol Way, Olympia, February 25, 1938.....	12.06
BUCHINGER, THEOBOLD, refund of overpayment of maintenance account of Augusta Morover, former patient at Western State Hospital.....	13.04
BUCKLEY, RALPH, Sheriff, expense incurred in the previous biennium for transportation of inmates to State institutions.....	20.15
BURGLEHAUS, MARY S., damages to currant bushes during 1922 by Department of Agriculture.....	835.00
BURNS, LLOYD T., injuries received in an accident in the Metropolitan Garage, Seattle, December 24, 1926.....	2,155.00
CLERK OF THURSTON COUNTY, court fees from January 1, 1935, to March 31, 1937, cases as supported by sworn vouchers.....	518.00
COLE, V. A., refund of notary fee.....	10.00
CURTISS, R. H., traveling expenses incurred while in the employ of the State School for Boys.....	12.04
DAVIS, GEORGE, refund of taxes over-assessed in the years 1928 to 1936 inclusive of NE¼ of the SW¼, Sec. 30, Township 32, Range 25 E. W. M.....	307.65
DESERT GOLD PRODUCTION CORPORATION, refund of corporation license fee for the year 1938.....	15.00
DICK Co., R. & J., supplies furnished State School for Girls in previous biennium.....	23.03

DORSCH, F. W., reimbursement for expenses incident to the illness and death of his son, Warren E. Dorsch, formerly a member of the Washington National Guard, who was injured during military drill October 14, 1929	507.50
FEDERAL OLD LINE LIFE INSURANCE Co., refund of duplicate payment of annual license fee for the year 1938	15.00
FINNELL SYSTEM, INC., supplies furnished Capitol Buildings and Grounds in previous biennium	8.25
FLEISCHER, EVERETT, refund of purchase price of shore lands on Pine Lake, Washington	57.80
FRISBIE MAPLE SYRUP Co. Inc., supplies furnished State Custodial School in previous biennium	217.50
GARLOCK PACKING Co., THE, supplies furnished State School for Girls in previous biennium	35.60
GATES, ROY G., account of injuries sustained June 25, 1923 (Appropriated from wrong fund in 1937)	1,000.00
GEVEKE, EDNA C., refund of overpayment of maintenance account of Laura Erickson, former patient at Western State Hospital	5.15
GLADDING, McBEAN & Co., supplies furnished State Soldiers Home in previous biennium	12.50
GLASGOW, ROBERT B., compensation for injuries received June 24, 1927, while on active duty as a member of the Washington National Guard	350.00
GROSS, CLARA R., witness fee before special Senate Investigating Committee February 1 and 2, 1937	4.80
GROSS, WM. H., witness fee before special Senate Investigating Committee February 1 and 2, 1937	4.80
HORTON, E. S., transportation and medical aid treatment for eye injury suffered while employed as engineer in the Old Capitol Building, in August, 1925	43.75
HOWE, WALTER C., refund of overpayment of maintenance account of Laura Howe, former patient at Western State Hospital	14.30
HUMPHRIES, J. ORVILLE, refund of overpayment of inheritance tax on the estate of James Anderson, No. 28966, Superior Court for Spokane County	838.79
HYDEN, DARWIN, Veterans' compensation as provided by Chapter 35, Laws of 1923	210.00
HOXEY, T. E. ESTATE, refund of overpayment of inheritance tax	1,391.15
JOHNSON, LOTTIE, personal injuries suffered in an accident at the State School for the Blind January 2, 1939	405.40
KEE LOX MANUFACTURING Co., supplies furnished Department of Finance, Budget and Business in previous biennium	3.00
LABOR AND INDUSTRIES, DEPARTMENT OF, services furnished State School for Girls in previous biennium	37.25
LONG, F. S. MFG. Co., supplies furnished the State Soldiers' Home in the years 1935 and 1936	13.70
MCGINNIS, MRS. A. J., damages to automobile sustained in collision with truck driven by employee of the Department of Public Welfare	23.63
MCKINLEY, H. E., refund of electrician's license fee remitted to State Treasurer November 8, 1934	15.00
MEYERS, JOHN, injuries sustained October 18, 1934 (appropriated from wrong fund in 1937)	750.00
MICELI, MRS. JOHN, supplies purchased by the Department of Public Welfare in previous biennium	7.70
MOODY, MAE, unclaimed dividends from liquidation of the Fremont State Bank of Seattle, escheated to the Permanent School Fund	16.02

NASH, VERNON AND EVELYN, damages and personal injuries in collision with Washington Emergency Relief Administration October 26, 1935.....	1,000.00
NATIONAL RETAILERS MUTUAL INSURANCE COMPANY, subrogated claim of E. J. Murnen for damages in collision with equipment of State Department of Social Security, December 7, 1938.....	197.47
NORTHERN EMPIRE MINING Co., refund of corporation license fee for the year 1938.....	27.50
OLSON, O. H., State Printer, printing of laws of legislative session of 1937.....	9,287.33
PACIFIC HIGHWAY TRANSPORT, services furnished State School for Girls in previous biennium.....	.50
PACIFIC TELEPHONE & TELEGRAPH Co., telephone service for House of Representatives for the period March 17, 1937, to April 15, 1937.....	24.67
LAYNE, MR. AND MRS. G. W., expense in connection with death and funeral of their son, Trevor, who was killed June 27, 1938, in a collision with a truck of the Washington National Guards.....	1,168.50
PETTIBONE, CARL A., refund of Accountant's Examination fee remitted to State Treasurer October 10, 1931.....	25.00
PROPERTIES IMPROVEMENT CORPORATION, refund of corporation license, for the period July 1, 1937, to June 30, 1938.....	15.00
PUGET SOUND MACHINERY DEPOT, supplies furnished Washington Veterans' Home in previous biennium.....	53.90
PUGET SOUND MACHINERY DEPOT, supplies furnished Washington State Penitentiary in previous biennium.....	178.56
RHODES, JAY A., refund of overpayment of maintenance account of Hosie M. Rhodes, Northern State Hospital.....	1.29
ROSE, J. M., reimbursement for rental and improvements on public lands by reason of cancellation of lease on NE¼ of the N½ of the SE¼ of section 36, Township 34 N., Range 44, E. W. M., in Pend Oreille County...	53.00
RHODES, MILTON, court costs in the matter of Milton Rhodes vs. State of Washington and Director of Finance, Budget and Business, King County No. 155908.....	87.44
SEQUIM PRESS, THE, publication of constitutional amendments for Secretary of State in 1936.....	190.22
SNIDER, CLAUDE C., Receiver for the Riverton Sportsdome Inc., refund of racing license fee for May and June, 1937.....	1,300.00
STANDARD BRANDS OF CALIFORNIA, supplies furnished State School for Girls in previous biennium.....	4.44
STONE & TROBRIDGE, supplies furnished Western State Hospital in previous biennium.....	23.90
POST ELECTRIC & MACHINERY Co., repairs to blueprint machine in December, 1936, vouchered subsequent to March 31, 1937.....	2.00
POST EXCHANGE OF FORT LAWSON, refund of tax on 10,992 gallons of gasoline.....	549.60
POTLATCH YARDS, INC., lumber delivered in October, 1936, vouchered subsequent to March 31, 1937.....	4.25
RAILWAY EXPRESS AGENCY, transportation charges for March, 1937, vouchered subsequent to March 31, 1937.....	4.37
RICHARDS, LINFORD, damages to automobile sustained in collision with State Highway equipment December 24, 1937.....	69.24
RICHARDS, W. M., damages to automobile sustained in collision with State Highway equipment near Leavenworth, Washington, July 12, 1938.....	28.41

SCHONS, B. A., damages to automobile sustained in collision with State Highway equipment near Leavenworth, Washington, February 17, 1937.....	19.28	
SCHWABACHER HARDWARE Co., scythes and snaths on purchase order 221236 (Spokane), August, 1935, vouchered subsequent to March 31, 1937.....	147.13	
SCIENTIFIC SUPPLIES Co., calcium chloride delivered February, 1937, vouchered subsequent to March 31, 1937...	1.55	
SMITH, JOHN, damages to truck sustained in collision with State Highway equipment near Kelso, Washington, July 25, 1938	240.00	
STEVENS, JAMES L., damages to automobile sustained in accident caused by loose plank on bridge near Scenic, Washington, July, 1938.....	12.75	
SUNSET ELECTRIC Co., motor repairs delivered January, 1936, vouchered subsequent to March 31, 1937.....	36.38	
SUNSET ELECTRIC Co., auto radio delivered November 1935 on purchase order 225998 (Yakima), vouchered subsequent to March 31, 1937.....	48.15	
TIDEWATER ASSOCIATED OIL COMPANY, refund of excess truck license fees paid in 1936.....	45.00	
TREASURER OF OKANOGAN COUNTY, taxes for the years of 1931 and 1932, on various lots in the town of Tonasket	21.35	
TREASURER OF YAKIMA COUNTY, taxes for the years of 1931, 1932 and 1933 on parts of property between Oak Flat and Nelson Bridge in Yakima County.....	28.63	
UNION OIL Co., 2 iron barrels delivered August 1934 (Spokane), vouchered subsequent to March 31, 1937.....	10.00	
UNION PACIFIC RAILROAD Co., for destruction of bridge material by fire getting out of control October 22, 1938 in the course of burning weeds by State Highway employee	76.15	
UNITED TRUCK LINES, Inc., damages to truck sustained in collision with State Highway equipment near Spokane, Washington, February 17, 1938.....	338.79	
WASHINGTON WATER POWER Co., light & power bill February and March 1937 (Spokane), vouchered subsequent to March 31, 1937.....	20.11	
WENATCHEE DAILY WORLD, publication of notice in March 1936, vouchered subsequent to March 31, 1937.....	1.50	
WHITFIELD, HAROLD, damages to automobile sustained in collision with State Highway equipment April 15, 1938	195.42	
		\$12,208.13

FROM PARKS AND PARKWAY FUND

SHELL OIL COMPANY, gas and oil furnished the State Parks Committee in a previous biennium.....	68.44	
YOUNG, HARRY A., expenses in connection with the operations of Tawachah State Park prior to 1933.....	1,200.00	
		\$1,268.44

FROM THE UNIVERSITY OF WASHINGTON FUND

SQUIRE, PAUL, injuries sustained in U. of W. Chemistry Department, December 29, 1937.....	200.00	
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FROM THE PUBLIC SERVICE REVOLVING FUND

CLERK OF THURSTON COUNTY, court fees from January 1, 1935 to March 31, 1937, cases supported by sworn vouchers	326.15	
GALE, L. S., refund of contract hauling license for the year, 1934	15.00	
		\$341.15

FROM THE RECLAMATION REVOLVING FUND

CLERK OF THURSTON COUNTY, court fees from January 1,
1935 to March 31, 1937, cases 16427 and 16429..... \$6.00

FROM THE MOTOR VEHICLE FUND

FOR THE TREASURER OF THURSTON COUNTY: for the retire-
ment of delinquent Thurston County road bonds Nos.
398 to 577..... \$201.750.00

SEC. 3. This act is necessary for the immediate preservation of public peace, health and safety, for the support of the state government and its existing public institutions, and shall take effect immediately. JUDSON W. SHORETT, *Chairman.*

We concur in this report: Paul G. Thomas, Geo. A. Lovejoy, John H. Ferryman, Mary Farquharson, Alfred E. Holt, Robert T. McDonald, D. E. McMillan, Kathryn E. Malstrom, Gordon Klemgard, Joseph Drumheller, A. E. Edwards, G. B. Kerstetter, Chapin A. Mills, Monty Percival, Howard Roup.

On motion of Senator Lovejoy, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 433.

The bill was considered in the committee of the whole, Senator Murfin in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Murfin, the report of the committee of the whole was adopted.

Senator Lovejoy moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried:

Senators Drumheller, Orndorff, and Maxwell demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 433, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Sullivan, Thomas, Troy, Voyce and Wanamaker—35.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Keller, Morgan, Murfin, Murphy, Reardon, Roup, Stinson and Todd—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the further call of the Senate was ordered dispensed with.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 112, 169, 241, 242, 372, 421, and 467, have compared the same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman*.

We concur in this report: Joseph D. Roberts, Harold P. Troy, Robert T. McDonald, Paul G. Thomas.

The report was ordered received.

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 483, 409, 195, 482, 490, 358, 441, 349, 427 and Senate Joint Resolution No. 14, have compared the same with the original bills and find them correctly engrossed.

Respectfully submitted,
ALFRED E. HOLT, *Chairman*.

We concur in this report: Harold P. Troy, Robert T. McDonald, Paul G. Thomas, Joseph D. Roberts.

The report was ordered received.

At 5:45 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 3:00 o'clock p. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate*.

EARLE M. McCROSKEY, *Secretary of the Senate*.

FIFTY-SIXTH DAY

AFTERNOON SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Sunday, March 5th, 1939.

The Senate was called to order at 3:00 o'clock p. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present, except Senators Keller and Todd, and Senator Roberts who was excused.

President Meyers assumed the chair.

Reverend Dwight Smith, of the United Churches of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the Journal of the previous day was dispensed with and it was approved.

On motion of Senator Lovejoy, Senator Roberts was excused for the day.

Senator Wanamaker introduced to the Senate honorary pages, Jackie Wanamaker and Joan Campbell.

REPORTS OF STANDING COMMITTEES

House Bill No. 240:

The Committee on State Penal and Reformatory Institutions recommended that House Bill No. 240 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed Substitute House Bill No. 242:

The Committee on State Penal and Reformatory Institutions recommended that Engrossed Substitute House Bill No. 242 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 379:

The majority of the Committee on Banks and Banking recommended that House Bill No. 379 do pass.

A part of the Committee on Banks and Banking recommended that House Bill No. 379 do not pass.

A part of the Committee on Banks and Banking referred House Bill No. 379 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 327:

The Committee on Game and Game Fish recommended that Engrossed House Bill No. 327 do pass.

The report of the committee, together with the bill, was placed on general file.

Senator Reardon assumed the chair.

House Bill No. 231:

The Committee on Game and Game Fish recommended that House Bill No. 231 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 111:

The Committee on Municipal Corporations Other Than First Class recommended that House Bill No. 111 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 348:

The Committee on Insurance recommended that House Bill No. 348 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 521:

The Committee on Revenue and Taxation recommended that House Bill No. 521 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 146:

The Committee on Revenue and Taxation recommended that Engrossed House Bill No. 146 do pass.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 561; also Engrossed House Bill No. 471; also Engrossed House Joint Resolution No. 13; and the same are herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 145; and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 25; also House Bill No. 104; also House Bill No. 131; also House Bill No. 323; and the same are herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

INTRODUCTION OF BILLS

Engrossed House Joint Resolution No. 13, by Representative Lindsay: "Providing for submission to the electors of the State of Washington a proposal to amend Article III of the Constitution of the State of Washington, by adding thereto a new section to be designated as Section 26, and relating to salaries of state officers."

The bill was read the first time, and on motion of Senator Kyle the rules were suspended, the bill was read the second time by title, and referred to the Committee on Constitutional Revision.

Engrossed House Bill No. 541, by Representative Isenhardt, entitled: "An Act relating to the apple industry; providing the public policy of this state; declaring and prohibiting unfair trade practices and preventing frauds; defining terms; providing for certain orders and marketing agreements and the terms thereof; prescribing the powers and duties of the director of agriculture and the making of rules and regulations; establishing and delineating the powers and duties of the Washington apple marketing board; providing for the enforcement of this act; prescribing penalties; and declaring an emergency."

The bill was read the first time, and on motion of Senator Mills the rules were suspended, the bill was read the second time by title, and referred to the Committee on Horticulture.

Engrossed House Bill No. 145, by Representative Payne, entitled: "An Act relating to the tax on retail sales; providing certain exemptions therefrom; and amending section 19 of chapter 180 of the Laws of 1935."

The bill was read the first time, and on motion of Senator Murfin the rules were suspended, the bill was read the second time by title, and referred to the Committee on Revenue and Taxation.

Engrossed House Bill No. 561, by Representatives Cowen and Reilly (E. J.), entitled: "An Act relating to the University of Washington tuition fees and amending section 2 of chapter 169 of the Laws of 1933 (section 4547 of Remington's Revised Statutes) and declaring an emergency."

The bill was read the first time, and on motion of Senator Farquharson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Educational Institutions.

Engrossed House Bill No. 471, by Representative Devenish, entitled: "An Act relating to public highways and motor vehicles and the operators thereof; providing for an offense of negligent operation; defining terms; amending chapter 189, Session Laws of 1937, by adding thereto a new section to be known as section 118½; and declaring an emergency and that this act shall take effect the first day of April, 1939."

The bill was read the first time, and on motion of Senator Keller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

GENERAL FILE

Engrossed House Bill No. 257:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 24, 1939.

MR. PRESIDENT:

We, your Committee on State Library, to whom was referred Engrossed House Bill No. 257, entitled: "An Act creating a state library commission and prescribing its powers and duties; and providing that this act shall take effect April 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend by striking section 3 of the original engrossed bill, the same being section 3 of the printed bill.

Amend the title by striking the semi-colon (;) after the word "duties" and inserting in lieu thereof a period (.) and striking the words "and providing that this act shall take effect April 1, 1939."
KATHRYN E. MALSTROM, *Chairman*.

We concur in this report: J. M. Koontz, Alfred E. Holt.

On motion of Senator Malstrom, the report of the committee was received and the bill was read the third time.

On motion of Senator Kyle, the committee amendments were adopted.

Senator Kyle moved the adoption of the following amendment:

Amend section 1, lines 2 and 3 of the printed bill, same being line 8 of the original bill. Strike the word "Governor" and insert in lieu thereof the words "Superintendent of Public Instruction."

On motion of Senator McDonald, the amendment was laid on the table.

On motion of Senator Kyle, the following amendment was adopted:

Amend section 1, line 7 of the original bill, same being section 1, line 2, page 1 of the printed bill; after the word "instruction" and before the word "and", insert the following: "who shall be ex-officio chairman of said commission".

Senator Kyle moved that Engrossed House Bill No. 257 be indefinitely postponed.

The motion by Senator Kyle failed to carry.

The Secretary called the roll on the final passage of Engrossed House Bill No. 257, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—36.

Those voting nay were: Senators Kyle, McAulay, Morgan and Murphy—4.

Absent or not voting: Senators Drumheller, Farquharson, Keller, Moe, Roberts and Todd—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 135:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Engrossed House Bill No. 135, entitled: "An Act relating to persons engaged in buying and selling agricultural products; providing for licenses; providing for hearings; defining "agricultural product," "commission merchant and credit buyer," "agent," "consignor," "retail merchant," "broker," and other terms; exempting producers, retail merchants, certain non-profit co-operative marketing associations, certain processors, certain warehouse men, nursery men, and certain grain dealers from certain provisions of this act; requiring commission merchants and credit buyers to have bonds; requiring all licensees to carry public liability and property damage insurance; requiring a deposit for tax purposes; requiring that manifests of cargo and other pertinent information be furnished to the director; requiring commission merchants and credit buyers to give certain information to consignors; providing for suit by the director on the bonds of commission merchant and credit buyers; setting up certain grounds for denying or revoking a license; giving the director the right to enter and inspect the premises of any licensee; repealing chapter 67 of the Session Laws of 1937 (section 8292, section 8292-1, section 8293, section 8294, section 8295, section 8296, section 8298, section 8299, section 8300, section 8302, section 8302-1, and section 8302-2 of Remington's Revised Statutes; sections 1417-41 to 1417-52, inclusive of Pierce's Code): providing penalties and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend Sec. 28, page 8, line 16 of the original bill same being Sec. 28, page 5, line 24 of the printed bill by striking the entire section.

Amend Sec. 29, page 9, line 11 of the original bill same being Sec. 29, page 5, line 44 of the printed bill after the word "Sec." strike the figure "29" and insert in lieu thereof the figure "28", numbering each section consecutively.

Amend re-numbered Sec. 48, page 17, line 14 of the original bill, same being re-numbered section 48, page 10 of the printed bill by striking the entire section.

Amend title on the last line, after the word "penalties" strike the semi colon (;) inserting in lieu thereof a period (.) and strike the remainder of the title.

D. E. McMILLAN, *Chairman*.

We concur in this report: A. M. Murfin, John H. Ferryman, Leroy L. Todd, Howard Roup, Ted F. Schroeder, Henry Copeland.

On motion of Senator McMillan, the report of the committee was received and the bill was read the third time.

President Meyers assumed the chair.

On motion of Senator McMillan the committee amendments were adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 135, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Troy, Voyce and Wanamaker—38.

Absent or not voting: Senators Drumheller, Keller, Maxwell, Metcalf, Reardon, Roberts, Sullivan and Todd—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 152:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Municipal Corporations Other Than First Class, to whom was referred House Bill No. 152, entitled: "An Act relating to cities of the fourth class, providing for the disposition of surplus earnings of public utilities, and amending section 1 of chapter 98, Laws 1929.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

C. F. STINSON, *Chairman*.

We concur in this report: Herbert H. Sieler, Mary Farquharson, F. L. Morgan, Clifford O. Moe, Thomas Voyce.

On motion of Senator Stinson, the report of the committee was received and the bill was read the third time.

Senators McDonald, Koontz and Stinson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 152, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas and Troy—37.

Absent or not voting: Senators Drumheller, Keller, Klemgard, McMillan, Moe, Roberts, Todd, Voyce and Wanamaker—9.

The bill having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 2:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Engrossed House Bill No. 2, entitled: "An Act relating to and prescribing the powers and duties of boards of directors for public schools, providing for education of physically handicapped adults, providing funds therefor amending section 4776, Remington's Revised Statutes.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. LULU D. HADDON, *Chairman*.

We concur in this report: Kathryn E. Malstrom, Keiron W. Reardon, Mary Farquharson, Pearl A. Wanamaker, Geo. F. McAulay.

On motion of Senator Haddon the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 2, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas and Troy—36.

Absent or not voting: Senators Dawson, Drumheller, Ferryman, Klemgard, Moe, Murphy, Roberts, Todd, Voyce and Wanamaker—10.

The bill having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 201:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

We, your Committee on Financial Institutions Other Than Banks, to whom was referred Engrossed House Bill No. 201, entitled: "An Act relating to credit unions; limiting the holding any one shareholder may have in such a union; providing for the calculation of interest and for collateral security; and amending chapter 173 of the Laws of 1933.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

HAROLD P. TROY, *Chairman*.

We concur in this report: Earl Maxwell, Herbert H. Sieler, A. E. Edwards, Judson W. Shorett, Geo. A. Lovejoy, Fred S. Duggan, Henry J. Copeland.

On motion of Senator Troy, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 201, and it passed the Senate by the following vote.

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas and Troy—36.

Absent or not voting: Senators Drumheller, Holt, Klemgard, Maxwell, Murphy, Roberts, Roup, Todd, Voyce and Wanamaker—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 113:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Municipal Corporations Other Than First Class, to whom was referred House Bill No. 113, entitled: "An Act relating to, and providing for, the codification, compilation and publication of constitutional provisions and state statutes relating to third and fourth class cities and towns; and making an appropriation.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CHAS. F. STINSON, *Chairman.*

We concur in this report: Thomas Voyce, F. L. Morgan, A. M. Murfin, Mary Farquharson, Herbert H. Sieler, Clifford O. Moe.

Senator Dawson assumed the chair.

On motion of Senator Duggan, Senator Holt was excused.

On motion of Senator Lovejoy, the Senate resolved itself into a committee of the whole to consider House Bill No. 113.

The bill was considered in the committee of the whole, Senator Bloomer in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Bloomer, the report of the committee of the whole was adopted.

Senator Reardon moved the adoption of the following amendment:

Amend section 1 of the printed bill, in line four, strike words "free of charge" and insert in lieu thereof the words "at cost".

On motion of Senator Kyle, the amendment was laid on the table.

Senator Stinson moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of House Bill No. 113, and it passed the Senate by the following vote.

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Duggan, Ferryman, Holt, McDonald, Morgan and Roberts—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 92:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Harbors and Waterways, to whom was referred Engrossed House Bill No. 92, entitled: "An Act providing for the relocation and establishment of the inner and outer harbor lines in front of Tideland District No. 110 of the tidelands of the first class in front of the city of Port Townsend; and making an appropriation for such purpose.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

PAUL G. THOMAS, *Chairman.*

We concur in this report: Lulu D. Haddon, Pearl A. Wanamaker, T. C. Bloomer, W. C. Dawson.

On motion of Senator Lovejoy, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 92.

The bill was considered in the committee of the whole, Senator Bloomer in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Bloomer, the report of the committee of the whole was adopted.

Senator Keeler moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 92, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Haddon, Henderson, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Duggan, Ferryman, Holt, Morgan, Murphy, Reardon, Roberts—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 100:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Industrial Insurance, to whom was referred Engrossed House Bill No. 100, entitled: "An Act relating to the compensation and medical, surgical, and hospital care and treatment and the welfare and safety of workmen engaged in extrahazardous employments and to the compensation of the dependents of such workmen in case of death and to the liability of the employers of workmen so engaged for such compensation and the cost of such care and treatment; providing for a compensation for disability sustained or death incurred by employees resulting from certain occupational diseases; amending section 1, chapter 212, Laws of 1937 (section 7679-1, Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

G. B. KERSTETTER, *Chairman.*

We concur in this report: Harold P. Troy, Monty Percival, Clifford O. Moe, J. W. Henderson.

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Industrial Insurance, to whom was referred Engrossed House Bill No. 100, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*

We concur in this report: W. C. Dawson, J. P. Keller.

On motion of Senator Kerstetter, the reports of the committee were received and the bill was read the third time.

On motion of Senator Kerstetter, the following amendments were adopted:

Amend section 1, page 3, line 17 of the original bill, being section 1, line 33, page 2 of the printed bill. Strike the words "And any persons employed in any industry where intense dust prevails," and insert in lieu thereof the words:

"Asbestosis or silicosis (including anthracosilicosis and silicotuberculosis) resulting from exposure to heavy concentrations of finely divided quartz or other forms of free silica (SiO2): Provided, however, That no workman shall be entitled to compensation for asbestosis or silicosis specified herein:

"a. Unless he was employed within the State of Washington for two years immediately prior to the date of claim for said occupational disease; and

"b. If the inception of such disease originated outside the State of Washington unless it be determined that the said disease was continually quiescent and non-disabling for two years prior to the date of injurious exposure in the State of Washington and that such exposure during his employment in the State of Washington activated the quiescent disease to the extent of disability;

"(22) Any respiratory disease other than asbestosis or silicosis contracted through the inhalation of dust in any industry where intense dust prevails."

Amend section 1, page 3, line 26, of the original bill, being line 39, page 2, of the printed bill, after the asterisks (* * * *) add the following:

"Provided, further, That no workman shall be entitled to compensation for any of the occupational diseases specified herein, except asbestosis or silicosis, if the onset of such disease originated outside of the State of Washington, unless it is determined that such disease was quiescent and non-disabling one year prior to the date the injurious exposure occurred while in the course of his employment in the State of Washington and that such exposure during such employment in the State of Washington activated the quiescent disease to the extent of disability."

President Meyers assumed the chair.

Senator Henderson moved the adoption of the following amendment:

Amend House Bill No. 100, to be known as section 23, to read as follows: "The Department is hereby directed to add to its staff a duly licensed doctor of medicine who has had special training and experience in the medical treatment of occupational diseases."

On motion of Senator Kerstetter, the amendment was laid on the table.

Senators Schroeder, Mills and Copeland demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 100, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Farquharson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Rosellini, Schoeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Those voting nay were: Senators Dawson, Klemgard, Murfin and Roup—4. Absent or not voting: Senators Drumheller, Duggan, Holt, Keller and Roberts—6.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Reardon assumed the chair.

Engrossed House Bill No. 55:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 55, entitled: "An Act relating to the possession of property sold under execution, during the period of redemption, amending section 1 of chapter 93 of the Laws of 1927", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 29, of the original bill by striking the words "and for" which precede the word "taxes".

FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Judson W. Shorett, Albert D. Rosellini, Herbert H. Sieler, Clifford O. Moe, H. I. Kyle, F. L. Morgan.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Farquharson, the committee amendments were adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 55, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Farquharson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Those voting nay were: Senator Morgan—1.

Absent or not voting: Senators Drumheller, Duggan, Edwards, Holt, Keller, Klemgard, Maxwell, Murphy and Roberts—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 407:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred House Bill No. 407, entitled: "An Act relating to insurance companies; providing requirements for doing business in this state; requiring filing of rating schedules; and amending section 1 of chapter 88 of the Laws of 1935 (section 7118 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend Sec. 1, line 20, page 2 of the original bill, the same being Sec. 1, line 10, page 2 of the printed bill, after the word "deviation" and before the word "Any" strike the period and insert in lieu thereof a semicolon (;) and add the following: "Provided, however, That no such deviation by a company having less than five years' experience in this or any other state shall be approved by the insurance commissioner if such deviation is greater than any deviation then in effect."

ROBERT T. McDONALD, *Chairman.*

We concur in this report: W. C. Dawson, C. F. Stinson, Mary Farquharson, Geo. A. Lovejoy, Kebel Murphy, H. I. Kyle, W. R. Orndorff

On motion of Senator McDonald, the report of the committee was received and the bill was read the third time.

On motion of Senator McDonald, the committee amendment was adopted.

The Secretary called the roll on the final passage of House Bill No. 407, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Farquharson, Haddon, Henderson, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Absent or not voting: Senators Drumheller, Duggan, Ferryman, Holt, Keeler, Klemgard, Maxwell, McMillan, Mills, Roberts and Stinson—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 263:

The Secretary read: ,

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 263, entitled: "An Act relating to taxation and the listing and assessment of certain kinds of personal property; and amending section 21, chapter 130, Laws of the Extraordinary Session of 1925, as amended by section 1, chapter 282, Laws of 1927.",

have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, page 2, line 3, of the original bill, the same being section 1, page 1, line 22, of the printed bill, by inserting after the word "thereof" the following: ", and all raw furs produced outside the State of Washington".

Amend section 1, page 2, line 17, of the original bill, the same being section 1, page 2, line 8, of the printed bill, by inserting after the period (.) and following the word "year", the following:

"A sale of or transfer of title to any such property, while being so transported or held in storage, shall not operate to defeat the intent or purpose of this proviso."

A. M. MURFIN, *Chairman.*

We concur in this report: F. L. Morgan, W. R. Orndorff, N. P. Atkinson, Harold P. Troy, Kebel Murphy, Joseph D. Roberts, Alfred E. Holt, James T. Sullivan, Pearl A. Wanamaker.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

On motion of Senator Murfin, the committee amendments were adopted.

On motion of Senator Murfin, the following amendments were adopted:

Amend the bill by adding thereto a new section to be known as "Sec. 2" and to read as follows: "Sec. 2. This act is necessary to the support of the state government and shall take effect immediately."

Amend the title by striking the period (.) at the end of said title, and adding the following: "and declaring an emergency."

Senator Sullivan moved the adoption of the following amendment:

Amend section 1, line 17 of the printed bill, after word "purpose" insert a period and strike everything up to and including the word "non-taxable."

On motion of Senator Percival, the amendment was laid on the table.

Senators Orndorff, Lovejoy and Koontz demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 263, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Drumheller, Holt, Keeler, Maxwell, Roberts, and Sullivan—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 264:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 264, entitled: "An Act relating to taxation; providing for the exemption of grains and flour, fruit and fruit products, vegetables and vegetable products and fish and fish products from taxation under certain conditions; repealing chapter 58,

Laws of 1937 (Remington's Revised Statutes sections 11130-1 to 11130-3 inc.); and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman.*

We concur in this report: F. L. Morgan, W. R. Orndorff, N. P. Atkinson, Harold P. Troy, Kebel Murphy, Joseph D. Roberts, Alfred E. Holt, James T. Sullivan, Pearl A. Wanamaker.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 264, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Stinson, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Absent or not voting: Senators Drumheller, Holt, Keeler, Klemgard, Maxwell, McMillan, Murphy, Roberts, Sieler and Sullivan—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

At 5:15 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTY-SEVENTH DAY

MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Monday, March 6, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

The President Pro Tempore directed the Sergeant-at-Arms to notify the Lieutenant-Governor Victor A. Meyers that the Senate was in order and awaited his attendance.

The Sergeant-at-Arms escorted the President to the rostrum, where he assumed the chair.

The President Pro Tempore announced the result of the attendance roll call to the President.

Reverend Dwight Smith, of the United Churches of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

The Secretary read.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bills Nos. 113, 431, and 433, have compared same with the original bills and find them correctly engrossed.

Respectfully submitted,

ALFRED E. HOLT, *Chairman.*

We concur in this report: Harold P. Troy, Robert T. McDonald, Paul G. Thomas.

The report was ordered received.

Senator Reardon assumed the chair.

REPORTS OF STANDING COMMITTEES

Engrossed House Bill No. 380:

The Committee on Revenue and Taxation recommended that Engrossed House Bill No. 380 do pass.

The report of the committee, together with the bill, was placed on general file.

On motion of Senator Lovejoy, Senator McAulay was excused for the balance of the legislative session if he so desires.

Engrossed House Bill No. 145:

The Committee on Revenue and Taxation recommended that Engrossed House Bill No. 145 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 9:

The Committee on Judiciary recommended that Engrossed House Bill No. 9 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 71:

The Committee on Judiciary recommended that Engrossed House Bill No. 71 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 369:

The Committee on Judiciary recommended that House Bill No. 369 do pass. The report of the committee, together with the bill, was placed on general file.

House Bill No. 314:

The Committee on Judiciary recommended that House Bill No. 314 do pass. The report of the committee, together with the bill was placed on general file.

House Bill No. 35:

The Committee on Judiciary recommended that House Bill No. 35 do pass. The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 269:

The Committee on Judiciary recommended that Engrossed House Bill No. 269 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 217:

The Committee on Judiciary recommended that House Bill No. 217 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 163:

The Committee on Judiciary recommended that House Bill No. 163 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 253:

The Committee on Judiciary recommended that Engrossed House Bill No. 253 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 250:

The Committee on Judiciary recommended that House Bill No. 250 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 249:

The Committee on Judiciary recommended that House Bill No. 249 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 248:

The Committee on Judiciary recommended that House Bill No. 248 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 247:

The Committee on Judiciary recommended that House Bill No. 247 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 267:

The Committee on Judiciary recommended that House Bill No. 267 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 70:

The Committee on Judiciary recommended that Engrossed House Bill No. 70 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 30:

A majority of the Committee on Judiciary recommended that Engrossed House Bill No. 30 do pass.

A minority of the Committee on Judiciary recommended that Engrossed House Bill No. 30 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 425:

The Committee on Revenue and Taxation recommended that Engrossed House Bill No. 425 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 25; also Engrossed Senate Bill No. 51; also Senate Bill No. 104; also Senate Bill No. 105; also Engrossed Senate Bill No. 108; also Senate Bill No. 110; also Senate Bill No. 138; also Senate Bill No. 146; also Senate Bill No. 197; also Engrossed Senate Bill No. 228; also Substitute Senate Bill No. 254; also Senate Bill No. 257; also Senate Bill No. 343; also Senate Bill No. 359; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Joint Resolution No. 1; also Senate Joint Resolution No. 8; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

GENERAL FILE

House Bill No. 372:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Corporations Other Than Municipal, to whom was referred House Bill No. 372, entitled: "An Act to regulate the indorsement, transfer and delivery of shares of stock in corporations, and to make uniform the law with relation thereto, and to repeal all acts and parts of acts in conflict herewith.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ALBERT D. ROSELLINI, *Chairman.*

We concur in this report: H. I. Kyle, Alfred E. Holt, Thomas Voyce, J. W. Henderson.

On motion of Senator Rosellini the report of the committee was received and the bill was read the third time.

Senator Sieler moved the adoption of the following amendment:

Amend section 1, strike lines 10 to 14 of section 1 of the printed bill.

On motion of Senator Rosellini the amendment was laid on the table.

The Secretary called the roll on the final passage of House Bill No. 372, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Farquharson, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Murfin, Murphy, Percival, Reardon, Roberts, Rosellini, Shorett, Sullivan, Todd, Voyce and Wanamaker—29.

Those voting nay were: Senators Dawson, Duggan, Keeler, Mills, Morgan, Orndorff, Schroeder, Sieler and Thomas—9.

Absent or not voting: Senators Edwards, Ferryman, Klemgard, McAulay, Moe, Roup, Stinson, and Troy—8.

The bill, having received the constitutional majority, was declared passed. There being no objection the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 191:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Industrial Insurance, to whom was referred Engrossed House Bill No. 191, entitled: "An Act relating to the classification of and rates of contribution to the accident, medical aid and occupational disease funds by employers engaged in extrahazardous employment or under the provision of elective adoption, and amending section 4 of chapter 74 of the Laws of 1911, as amended by section 1 of chapter 89 of the Laws of 1937 (section 7676 of Remington's Revised Statutes); and declaring that this act take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, page 20, line 22 of the engrossed bill, the same being page 12, line 26 of the printed bill, after the parenthesis following the word "operators)" insert the following new matter: ", (If interstate operations involved, payroll segregation to be permitted)."

Amend section 1, page 33, line 23 of the engrossed bill, the same being page 20, line 19 of the printed bill, by striking the following: "(Steamship companies that do not have an established place of business in this State and whose boat crews perform work on shore are not subject to this classification)".

G. B. KERSTETTER, *Chairman.*

We concur in this report: Harold P. Troy, W. C. Dawson, J. P. Keller, Monty Percival, F. L. Morgan, J. W. Henderson, Clifford O. Moe, Earl Maxwell.

On motion of Senator Kerstetter, the report of the committee was received and the bill was read the third time.

On motion of Senator Kerstetter, the committee amendments were adopted. Senators Orndorff, Lovejoy and Holt demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 191, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Drumheller, Duggan, Farquharson, Haddon, Holt, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom,

Maxwell, McDonald, Moe, Morgan, Murphy, Percival, Reardon, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy and Voyce—27.

Those voting nay were: Senators Copeland, Dawson, Henderson, Keeler, McMillan, Metcalf, Mills, Murfin, Orndorff, and Roup—10.

Absent or not voting: Senators Edwards, Ferryman, Keller, Klemgard, McAulay, Roberts, Sieler, Stinson and Wanamaker—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Keeler, Murfin and Henderson demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, the absentee members being Senators Farquharson, Roberts, Sieler, Stinson and Wanamaker.

President Meyers assumed the chair.

On motion of Senator Murfin the Senate proceeded under the call of the Senate.

MOTION

Senator Murfin moved that on this legislative day, no Senator shall speak without unanimous consent more than two minutes on any subject except that the Chairman of the Committee having had the bill under consideration may speak six minutes.

The motion by Senator Murfin carried.

Engrossed House Bill No. 180:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Engrossed House Bill No. 180, entitled: "An Act relating to insurance; specifying the persons to whom payment under life insurance policies shall be made and the effect of such payment; providing for the manner of assignment of such policies and for the protection of persons interested in life insurance policies; and providing that accident policies shall be deemed to be life policies under the terms of this act so far as they provide for death benefits.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman.*

We concur in this report: H. I. Kyle, W. R. Orndorff, W. C. Dawson, Geo. A. Lovejoy, Kebel Murphy, C. F. Stinson.

On motion of Senator McDonald the report of the committee was received and the bill was read the third time.

Senators Orndorff, Duggan and Lovejoy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 180, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Keller, Kerstetter, Koontz, Lovejoy, Maxwell,

McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sullivan, Thomas, Troy, Voyce and Wanamaker—32.

Those voting nay were: Senators Farquharson, Haddon, Henderson, Holt, Keeler, Kyle, Malstrom, McAulay, Morgan, Stinson and Todd—11.

Absent or not voting: Senators Ferryman, Klemgard and Sieler—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 177:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Engrossed House Bill No. 177, entitled: "An Act relating to annual fees by claimants of water power; providing that such fees shall be credited to the reclamation revolving fund; prescribing the duties of the director of the department of conservation and development with respect thereto; and amending section 3 of chapter 105, Laws of 1929 (section 11575-3 of Remington's Revised Statutes of Washington).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman*.

We concur in this report: C. F. Stinson, Geo. F. McAulay, J. M. Koontz, Herbert H. Sieler, A. M. Murfin, Clifford O. Moe.

On motion of Senator Keeler the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 177, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Absent or not voting: Senators Ferryman, Keller, Klemgard, Roberts and Sieler—5.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 111 with the following amendment: In section 2, line 10, page 2 of the engrossed bill, being line 16 of the mimeographed amendment to section 2, strike the period following the word "purposes" and insert in

lieu thereof a colon (:) and add the following: "Provided, further, That this section shall not apply to lakes navigable from the sea.", and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Metcalf, the Senate concurred in the House amendment.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 111, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Ferryman, Keller, Klemgard, McMillan, Roberts and Sieler—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Duggan assumed the chair.

Engrossed House Bill No. 40:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Engrossed House Bill No. 40, entitled: "An Act relating to teachers' institutes, providing for optional attendance thereat by teachers, and amending sections 4886 and 4889 of Remington's Revised Statutes.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LULU D. HADDON, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Mary Farquharson, Gordon Klemgard, Pearl A. Wanamaker.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 40, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Stinson, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Atkinson, Keller, Klemgard, Kyle, Roberts, Sieler and Sullivan—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 240:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred House Bill No. 240, entitled: "An Act relating to release or parole of persons convicted to the penitentiary and reformatory and amending section 4 of chapter 114 of the Laws of 1935, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

K. W. REARDON, *Chairman*.

We concur in this report: Ted F. Schroeder, Monty Percival, Lulu D. Haddon, Howard Roup.

On motion of Senator Reardon, the report of the committee was received and the bill was read the third time.

Senators McDonald, Koontz and Orndorff demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 240, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—39.

Absent or not voting: Senators Drumheller, Ferryman, Keeler, Klemgard, Mills, Sieler and Troy—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed Substitute House Bill No. 242:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Engrossed Substitute House Bill No. 242, entitled: "An Act authorizing establishment and operation of conservation camps for certain inmates confined in the Washington state penitentiary and the Washington state reformatory; providing compensation for inmates transferred to such camps; making an appropriation; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

K. W. REARDON, *Chairman*.

We concur in this report: Ted F. Schroeder, Monty Percival, Lulu D. Haddon, Howard Roup, Henry J. Copeland.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Engrossed Substitute House Bill No. 242.

The bill was considered in the committee of the whole, Senator Orndorff in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Orndorff, the report of the committee was adopted. Senator Reardon moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Orndorff, Kyle and Voyce demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 242, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Kerstetter, Koontz, Kyle, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanmaker—37.

Those voting nay were: Senators Copeland, Keeler and Stinson—3.

Absent or not voting: Senators Dawson, Drumheller, Keller, Klemgard, Lovejoy and Morgan—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

There being no objection, the rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 450, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

The House has passed Engrossed Substitute House Bill No. 392, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk*.

There being no objection, the rules were suspended and the Senate referred back to the sixth order of business, Introduction and First Reading of Bills.

INTRODUCTION OF BILLS

Engrossed House Bill No. 450, by Representative Hurley (John R.), entitled: "An Act making appropriations for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices, for the purchase and improvement of land, the construction of buildings and improvements for the various state institutions designated and mentioned, and for emergencies, and for refunds, and for sundry civil expenses of the state government, and for public assistance, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal bien-

nium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Shorett the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

Engrossed Substitute House Bill No. 392, by Committee on Roads and Bridges, entitled: "An Act relating to public highways, primary state highways, secondary state highways, county roads and city streets; establishing the motor vehicle fund as a permanent fund; providing for the distribution of funds accruing to the motor vehicle fund; making appropriations from the motor vehicle fund for location, right of way, improvement, construction, reconstruction, maintenance, special maintenance, emergencies and matching funds provided under certain acts of Congress and other highway purposes for primary state highways and secondary state highways; making appropriations for counties and cities and for supervision thereof and for other expenses; amending section 60 of chapter 187, Session Laws of 1937; providing for refunds to island counties; repealing chapter 54, Session Laws of 1919, chapter 98, Session Laws of 1923, and chapter 14, Session Laws of 1925; prescribing the powers and duties of certain officers; repealing laws in conflict; and declaring an emergency and that this act shall take effect upon the first day of April, 1939."

The bill was read the first time, and on motion of Senator Maxwell the rules were suspended, the bill was read the second time by title, and referred to the Committee on Roads and Bridges.

GENERAL FILE

Engrossed House Bill No. 190:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Industrial Insurance, to whom was referred Engrossed House Bill No. 190, entitled: "An Act relating to the medical, surgical and hospital treatment of workmen subject to the industrial insurance act by medical aid contracts, prescribing the method of execution of such contracts and fixing the rates of contribution to the medical aid fund by the contractor and workman and amending section 7724 of Remington's Revised Statutes and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, page 3, line 30, of the engrossed bill by striking after the words "Provided, however", in line 30, beginning with the word "That" down to and including the word "treatment" in line 27, page 4, the same being the House committee amendment to the printed bill, and insert in lieu thereof the following:

"That if upon the expiration of any medical aid contract, the medical aid contractor shall not renew the same and shall forthwith and thereafter cease the performance of all medical aid contracts as in this section provided, the medical aid contractor shall be relieved from all liability to furnish future medical aid to the injured workman arising after the expiration of such contract or contracts providing he shall have paid all levies theretofore made during the existence of such contract or contracts into the surplus fund."

G. B. KERSTETTER, Chairman.

We concur in this report: Clifford O. Moe, Harold P. Troy, Monty Percival, W. Dawson, Earl Maxwell, J. P. Keller, F. L. Morgan.

On motion of Senator Kerstetter, the report of the committee was received and the bill was read the third time.

On motion of Senator Moe, the committee amendment was adopted.

Senators Kyle and Morgan demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, the absentee members being Senators Farquharson and Rosellini.

Senator Shorett moved that the Senate proceed under the call of the Senate.

Senator Maxwell moved that the further call of the Senate be dispensed with.

The motion by Senator Maxwell carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 190, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Drumheller, Duggan, Edwards, Ferryman, Holt, Kerstetter, Koontz, Kyle, Malstrom, Maxwell, McMillan, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—28.

Those voting nay were: Senators Copeland, Dawson, Haddon, Henderson, Keeler, Keller, Klemgard, Lovejoy, McAulay, McDonald, Metcalf, Mills, Murfin, Roberts, Roup and Stinson—16.

Absent or not voting: Senators Farquharson and Rosellini—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 289:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 23, 1939.

MR. PRESIDENT:

We, your Committee on Forestry and Logged-off Lands, to whom was referred Engrossed House Bill No. 289, entitled: "An Act authorizing certain state departments, institutions and offices to cooperate with the government of the United States under the Clarke-McNary Act of Congress, approved June 7, 1924, and under the Cooperative Farm Forestry Act of Congress, approved May 18, 1937, and to receive and disburse funds appropriated by Congress, to be used under said act, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

TED F. SCHROEDER, *Chairman.*

We concur in this report: Joe L. Keeler, Harold P. Troy, Ralph Metcalf, Alfred E. Holt.

On motion of Senator Schroeder, the report of the committee was received and the bill was read the third time.

Senators Kyle, Morgan and Rosellini demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 289, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Drumheller, Farquharson, Keller, Kerstetter, Maxwell, Reardon and Roberts—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 432:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Parks and Playgrounds, to whom was referred Engrossed House Bill No. 432, entitled: "An Act relating to disposition of money received from vehicle operator's licenses and amending section 71, chapter 188, of the Laws of 1937.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOSEPH D. ROBERTS, *Chairman.*

We concur in this report: James T. Sullivan, J. W. Henderson, Albert D. Rosellini, Paul G. Thomas, Pearl A. Wanamaker, C. F. Stinson.

On motion of Senator Roberts, the report of the committee was received and the bill was read the third time.

Senator Keeler moved that Engrossed House Bill No. 432 be re-referred to the Committee on Roads and Bridges.

President Meyers assumed the chair.

On motion of Senator Bloomer, the motion was laid on the table.

Senator Klemgard moved the adoption of the following amendment:

Amend section 1, line 6 of the printed bill, same being line 12 of the original bill. Strike the words and figures "twenty cents (\$.20)" and insert in lieu thereof the words and figures "fifteen cents (\$.15)".

Senator Bloomer moved that the amendment offered by Senator Klemgard be laid on the table.

Senators Drumheller, Keller, Klemgard, Kyle, Duggan, Orndorff, Shorett and Reardon demanded a roll call.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Bloomer to lay the amendment of Senator Klemgard on the table.

Those voting aye were: Senators Atkinson, Bloomer, Haddon, Holt, Kerstetter, Kyle, Lovejoy, Malstrom, McDonald, Morgan, Murfin, Murphy, Roberts, Rosellini, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—21.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Henderson, Keeler, Keller, Klemgard, Koontz, McAulay, McMillan, Metcalf, Mills, Orndorff, Percival, Reardon, Roup, Schroeder, Shorett and Sieler—21.

Absent or not voting: Senators Farquharson, Ferryman, Maxwell and Moe—4.

President Meyers stated that he would vote in the negative and leave the question of the adoption of the amendment before the Senate.

The motion by Senator Bloomer was declared lost.

The Chair announced that the question now before the Senate is the adoption of the amendment by Senator Klemgard.

Senators Drumheller, Keller and Sieler demanded the previous question.

Senators Drumheller, Keller, Murphy, Thomas, Murfin, Keeler, Kyle and Percival demanded a roll call.

A roll call was ordered.

The President announced that the question is on the adoption of the amendment.

The Secretary called the roll and the amendment failed of adoption by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Edwards, Henderson, Keller, Klemgard, Koontz, McAulay, McMillan, Metcalf, Mills, Orndorff, Percival, Reardon, Roup, Schroeder and Sieler—18.

Those voting nay were: Senators Atkinson, Bloomer, Duggan, Ferryman, Haddon, Holt, Keeler, Kerstetter, Kyle, Lovejoy, Malstrom, McDonald, Moe, Morgan, Murfin, Murphy, Roberts, Rosellini, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—26.

Absent or not voting: Senators Farquharson and Maxwell—2.

The President announced that Engrossed House Bill No. 432 is now on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 432, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—34.

Those voting nay were: Senators Copeland, Keller, Koontz, McMillan, Roup and Schroeder—6.

Absent or not voting: Senators Drumheller, Klemgard, McDonald, Reardon, Shorett and Sieler—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 236:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House Bill No. 236, entitled: "An Act relating to the development of the resources of Washington; promoting the general welfare by providing for the encouragement of the district exhibitions of the products of agriculture, live stock, arts, science and manufacture; also providing for boys' and girls' 4-H club work, Smith-Hughes vocational work, county and community fairs, and making an appropriation therefor.", have had the

same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

D. E. McMILLAN, *Chairman*.

We concur in this report: John H. Ferryman, Howard Roup, Henry Copeland, Leroy L. Todd.

On motion of Senator Keeler the Senate resolved itself into a committee of the whole to consider House Bill No. 236.

The bill was considered in the committee of the whole, Senator Reardon in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Reardon the report of the committee of the whole was adopted.

On motion of Senator McMillan, the following amendment made in the committee of the whole was adopted:

Amend Sec. 7, lines 15 and 16, page 2 of the printed bill, same being Sec. 7, line 28 of the original bill, by striking the words and figures "forty-nine thousand (\$49,000.00)" and substituting in lieu thereof the words and figures "twenty-five thousand (\$25,000.00)".

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senator Duggan assumed the chair.

The Secretary called the roll on the final passage of House Bill No. 236, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—41.

Those voting nay were: Senators Farquharson and Murfin—2.

Absent or not voting: Senators Moé, Morgan and Troy—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Thomas the rules were suspended and the Senate referred back to the first order of business for the purpose of making a motion.

MOTION

Senator Thomas moved that from now on there shall be no further introductions by members of the Senate of anyone in the gallery; in order that we may conserve the time remaining of the session for important work on legislation before the legislature.

President Meyers assumed the chair.

The motion by Senator Thomas carried.

House Bill No. 208:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 20, 1939.

MR. PRESIDENT:

We, your Committee on Dairy and Livestock, to whom was referred House Bill No. 208, entitled: "An Act amending sections 6, 14 and 15 of Remington's Revised Statutes; providing for inspection fees and payment of inspectors; designating unlawful earmarks; providing for proof of ownership of livestock; declaring certain animals to be estrays and providing for sale of same.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend Sec. 4, page 2 and 3, line 30 of the original bill, the same being Sec. 4, page 2, lines 18 and 19 of the printed bill by striking the whole thereof and renumbering subsequent sections consecutively.

Amend Sec. 7, page 4, lines 1 to 8 inclusive, the same being Sec. 7, pages 2 and 3, lines 43 and 44 and lines 1 to 5 inclusive of the printed bill by striking the whole thereof.

Amend the title by striking the whole thereof and inserting in lieu thereof the following: "An Act relating to inspection and slaughtering of livestock; providing for inspection fees and payment of inspectors; establishing inspection points; providing for presentation and inspection of livestock at designated places; requiring proof of ownership; declaring certain animals to be estrays; providing for sale of same; prescribing penalties and amending sections 6 and 14 of chapter 75 of the Laws of 1937 (sections 3169-6 and 3169-14 of Remington's Revised Statutes)."

LEROY L. TODD, *Chairman.*

We concur in this report: Chapin A. Mills, Monty Percival, Herbert H. Sieler, J. M. Koontz.

On motion of Senator Todd, the report of the committee was received and the bill was read the third time.

On motion of Senator Todd, the committee amendment to Sec. 4, pages 2 and 3, line 30 of the original bill was adopted.

Senator Todd moved that the committee amendment to Sec. 7, page 4, lines 1 to 8 inclusive, the same being Sec. 7, pages 2 and 3, lines 43 and 44 and lines 1 to 5 inclusive of the printed bill by striking the whole thereof be adopted.

The motion by Senator Todd failed to carry.

On motion of Senator Todd, the committee amendment to the title was adopted.

The Secretary called the roll on the final passage of House Bill No. 208, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senators Reardon, Kyle and Farquharson demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present.

On motion of Senator Kyle, the Senate proceeded under the call of the Senate.

Engrossed House Bill No. 198:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Engrossed House Bill No. 198, entitled: "An Act relating to crimes and punishment and to Sabbath breaking, and amending section 242 of chapter 249 of the Laws of 1909.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Geo. A. LOVEJOY, *Chairman*.

We concur in this report: Harold P. Troy, Joe L. Keeler, Joseph Drumheller, Joseph D. Roberts, Thomas Voyce, T. C. Bloomer, James T. Sullivan.

On motion of Senator Lovejoy, the report of the committee was received and the bill was read the third time.

Senator Mills moved to amend line No. 41 of the House committee amendment:

"Amend the House Committee amendment by striking the words, 'and beer' in line 41 to and including 'P. M.' at end of sentence."

Senator Troy moved that the amendment offered by Senator Mills be laid on the table.

Senators Wanamaker, Koontz, Todd, Moe, McAulay, Copeland, Malstrom and Keller demanded a roll call.

The President announced that the question now before the Senate is the motion by Senator Troy to lay the amendment of Senator Mills on the table.

The Secretary called the roll and the motion by Senator Troy failed to carry by the following vote:

Those voting aye were: Senators Bloomer, Drumheller, Edwards, Farquharson, Holt, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Maxwell, McMillan, Moe, Reardon, Roberts, Rosellini, Sullivan and Troy—18.

Those voting nay were: Senators Atkinson, Copeland, Dawson, Duggan, Ferryman, Haddon, Henderson, Keeler, Koontz, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Voyce and Wanamaker—28.

Senators Mills, Wanamaker and Todd demanded the previous question.

The President announced that the question now before the Senate is, "Shall the demand for the previous question be sustained?"

The demand for the previous question was not sustained.

Senator Maxwell moved that Engrossed House Bill No. 198 be made a special order of business for 10:30 a. m., tomorrow.

On motion of Senator Mills, the motion by Senator Maxwell was laid on the table.

Senator Thomas moved that Engrossed House Bill No. 198 be indefinitely postponed.

Senator Reardon moved that Engrossed House Bill No. 198 be laid on the table.

Senators Maxwell, Keller, Kyle, Lovejoy, Murphy, Voyce, Rosellini and Morgan demanded a roll call.

A roll call was ordered.

The President announced that the question now before the Senate is on the motion of Senator Reardon to lay Engrossed House Bill No. 198 on the table.

The Secretary called the roll and the motion by Senator Reardon failed to carry by the following vote:

Those voting aye were: Senators Drumheller, Duggan, Edwards, Farquharson, Holt, Keller, Klemgard, Kyle, Lovejoy, Maxwell, Moe, Orndorff, Reardon, Roberts, Rosellini, Sullivan and Troy—17.

Those voting nay were: Senators Atkinson, Bloomer, Copeland, Dawson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Koontz, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Percival, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Voyce and Wanamaker—29.

The President announced that the question now before the Senate is on the motion of Senator Thomas, that Engrossed House Bill No. 198 be indefinitely postponed.

Senator Maxwell moved that Engrossed House Bill No. 198 be re-referred to the Committee on Judiciary.

The President announced that the question now before the Senate is on the motion of Senator Maxwell that Engrossed House Bill No. 198 be re-referred to the Committee on Judiciary.

Senators Drumheller, Keller and Orndorff moved the previous question.

The Chair announced that the question now before the Senate is, "Shall the demand for the previous question be sustained?"

The previous question was ordered.

The Chair announced that the question before the Senate is on the motion of Senator Maxwell, that Engrossed House Bill No. 198 be re-referred to the Committee on Judiciary.

Senators Mills, Keeler, Murphy, Kerstetter, Sullivan, Thomas, Lovejoy and Duggan demanded a roll call.

The Secretary called the roll and the motion by Senator Maxwell failed to carry by the following vote:

Those voting aye were: Senators Bloomer, Drumheller, Duggan, Edwards, Farquharson, Holt, Keller, Kerstetter, Kyle, Lovejoy, Maxwell, McMillan, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Sullivan, Troy and Voyce—22.

Those voting nay were: Senators Atkinson, Copeland, Dawson, Ferryman, Haddon, Henderson, Keeler, Klemgard, Koontz, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murphy, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd and Wanamaker—24.

The President announced that the question now before the Senate is on the motion by Senator Thomas, that Engrossed House Bill No. 198 be indefinitely postponed.

Senators Reardon, Murphy and Keeler moved the previous question.

Senator Klemgard announced that he had voted with the prevailing side and moved that the Senate reconsider the vote by which the motion by Senator Maxwell to re-refer Engrossed House Bill No. 198 failed to carry.

Senator Wanamaker moved that the motion by Senator Klemgard be laid on the table.

The Chair announced that the motion now before the Senate is the motion by Senator Wanamaker to lay the motion of Senator Klemgard on the table.

Senators Murphy, Keller, Drumheller, Duggan, Edwards, Farquharson, Kyle and Roberts demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Wanamaker failed to carry by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Ferryman, Haddon, Henderson, Keeler, Koontz, Malstrom, McAulay, McDonald, Mills, Morgan, Murfin, Murphy, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd and Wanamaker—23.

Those voting nay were: Senators Bloomer, Drumheller, Duggan, Edwards, Farquharson, Holt, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Maxwell, McMillan, Metcalf, Moe, Orndorff, Percival, Reardon, Roberts, Rosellini, Sullivan, Troy, Voyce and Lieutenant-Governor Meyers—24.

The President announced that the question now before the Senate is on the motion by Senator Klemgard to reconsider the vote by which Senator Maxwell's motion to re-refer Engrossed House Bill No. 198 to the Committee on Judiciary failed to carry.

Senators Murphy, Keller, Drumheller, Duggan, Edwards, Farquharson, Kyle and Roberts demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Klemgard failed to carry by the following vote:

Those voting aye were: Senators Bloomer, Drumheller, Duggan, Edwards, Farquharson, Holt, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Maxwell, McMillan, Moe, Orndorff, Percival, Reardon, Roberts, Rosellini, Sullivan, Troy and Voyce—22.

Those voting nay were: Senators Atkinson, Copeland, Dawson, Ferryman, Haddon, Henderson, Keeler, Koontz, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd and Wanamaker—24.

Senators Murfin, Shorett and Keeler demanded the previous question.

The previous question was ordered.

The President announced that the question now before the Senate is on the motion by Senator Thomas that Engrossed House Bill No. 198 be indefinitely postponed.

Senators Drumheller, Maxwell, Duggan, Edwards, Farquharson, Holt, Keller and Klemgard demanded a roll call.

The Secretary called the roll and the motion by Senator Thomas carried by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Ferryman, Haddon, Henderson, Keeler, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Percival, Reardon, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Voyce and Wanamaker—26.

Those voting nay were: Senators Bloomer, Drumheller, Duggan, Edwards, Farquharson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McMillan, Moe, Orndorff, Roberts, Rosellini, Sullivan and Troy—20.

Senator Reardon gave notice that at the proper time tonight he would move to reconsider the vote by which the motion of Senator Thomas to indefinitely postpone Engrossed House Bill No. 198 carried.

Senator Sieler moved that the rules be suspended and that the Senate immediately proceed to reconsider the vote by which the motion of Senator Thomas carried.

Senators Drumheller, Rosellini and Keller demanded the previous question.

The President announced that the question before the Senate is, "Shall the demand for the previous question be sustained?"

The previous question was ordered.

Senators Maxwell, Drumheller, Rosellini, Duggan, Edwards, Farquharson, Holt and Keller demanded a roll call.

A roll call was ordered.

The President announced that the question now before the Senate is on the motion of Senator Sieler, that the rules be suspended and that the Senate now vote on the motion to reconsider the vote by which the motion by Senator Thomas to indefinitely postpone Engrossed House Bill No. 198 carried.

The Secretary called the roll and the motion by Senator Sieler failed to carry by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Koontz, Malstrom, McAulay, McDonald, McMillan, Mills, Morgan, Murfin, Murphy, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd and Wanamaker—27.

Those voting nay were: Senators Drumheller, Duggan, Edwards, Farquharson, Holt, Keller, Klemgard, Kyle, Lovejoy, Maxwell, Metcalf, Moe, Orndorff, Percival, Reardon, Rosellini, Sullivan, Troy and Voyce—19.

The president announced that the motion by Senator Sieler having failed to receive the constitutional majority was declared lost.

At 2:00 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 8:00 o'clock p. m., this evening.

EVENING SESSION

The Senate reconvened at 8:00 o'clock p. m., President Meyers in the chair.

Senators Reardon, Henderson and Kyle demanded a call of the Senate.

The President announced that the question before the Senate is, "Shall the call of the Senate be sustained?"

The demand for the call of the Senate was sustained.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, the absent Senators being Senators Keller and Klemgard.

Senator Lovejoy moved that the Senate proceed under the call.

The motion by Senator Lovejoy failed to carry.

The Sergeant-at-Arms was instructed to bring the absent Senators to the floor of the Senate.

Senator Kyle moved that the Senate proceed under the call.

Senator Kyle's motion was declared out of order.

Senator Murfin moved that the Senate dispense with the call.

The motion by Senator Murfin failed to carry.

Senator Roberts moved that the Senate proceed under the call.

The motion by Senator Roberts failed to carry.

The President signed House Bill No. 25, House Bill No. 104, House Bill No. 131, also House Bill No. 323.

Senator Voyce moved that Senator Klemgard be excused.

The motion lost.

The Chair announced that all Senators were now present.

On motion of Senator Murfin, the Senate proceeded under the call of the Senate.

MOTION FOR RECONSIDERATION

Senator Reardon moved that the Senate now reconsider the vote by which Engrossed House Bill No. 198 was indefinitely postponed.

Senators Keeler, Voyce and Orndorff demanded the previous question.

The President announced that the question before the Senate is, "Shall the demand for the previous question be sustained?"

The previous question was ordered.

Senators Reardon, Maxwell, Murphy, Ferryman, Kerstetter, Farquharson, Kyle and Orndorff demanded a roll call.

The roll call was ordered.

The President announced that the question before the Senate is on the motion by Senator Reardon to reconsider the vote by which Engrossed House Bill No. 198 was indefinitely postponed.

The Secretary called the roll and the motion by Senator Reardon failed to carry by the following vote:

Those voting aye were: Senators Bloomer, Drumheller, Duggan, Farquharson, Holt, Keller, Klemgard, Kyle, Lovejoy, Maxwell, Moe, Orndorff, Reardon, Roberts, Rosellini, Sullivan and Troy—17.

Those voting nay were: Senators Atkinson, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Koontz, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Percival, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Voyce and Wanamaker—29.

Senator Reardon moved that the further call of the Senate be dispensed with.

The motion by Senator Reardon failed to carry.

Senator Reardon moved that Senator Klemgard be excused.

The motion by Senator Reardon carried.

Senator Ferryman assumed the chair.

The Secretary read:

REPORTS OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 108, 51, 228, and 25, have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: A. M. Murfin, W. C. Dawson, Monty Percival, Mary Farquharson.

The report was ordered received.

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 146, 104, 110, 343, 138, 197, 105, 257, 359, Substitute Senate Bill 254, Senate Joint Resolution No. 1, and Senate Joint Resolution No. 8, have compared same with the original bills and resolutions and find them correctly enrolled.

Respectfully submitted,

Geo. A. LOVEJOY, *Chairman.*

We concur in this report: W. C. Dawson, Monty Percival, A. M. Murfin, Mary Farquharson.

The report was ordered received.

REPORTS OF STANDING COMMITTEES

Re-Engrossed House Bill No. 80:

The Committee on Revenue and Taxation recommended that Re-Engrossed House Bill No. 80 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 565:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that House Bill No. 565 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 343:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that House Bill No. 343 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 477:

The Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that House Bill No. 477 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 161:

The Committee on Labor and Labor Statistics recommended that Engrossed House Bill No. 161 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 223:

A part of the Committee on Labor and Labor Statistics recommended that Engrossed House Bill No. 223 do pass.

A part of the Committee on Labor and Labor Statistics recommended that Engrossed House Bill No. 223 do not pass.

A part of the Committee on Labor and Labor Statistics referred Engrossed House Bill No. 223 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Senator Maxwell raised the question of consideration of the committee reports on Engrossed House Bill No. 223.

The Chair announced that the question before the Senate is the question of consideration raised by Senator Maxwell on the committee reports on Engrossed House Bill No. 223, by the Committee on Labor and Labor Statistics.

Senator Wanamaker moved that the reports of the committee be adopted. President Meyers assumed the chair.

The President announced that the question is on the question of consideration of the committee reports by the Committee on Labor and Labor Statistics, on Engrossed House Bill No. 223.

The question of consideration by Senator Maxwell failed to carry.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Joint Resolution No. 13:

The Committee on Constitutional Revision recommended that Engrossed House Joint Resolution No. 13 do pass.

The report of the committee, together with the resolution, was placed on general file.

Engrossed House Bill No. 471:

A majority of the Committee on Roads and Bridges recommended that Engrossed House Bill No. 471 do pass.

A minority of the Committee on Roads and Bridges recommended that Engrossed House Bill No. 471 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 473:

The Committee on Roads and Bridges recommended that Engrossed House Bill No. 473 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 406:

The Committee on Roads and Bridges recommended that House Bill No. 406 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 415:

The Committee on Military recommended that House Bill No. 415 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 347:

The Committee on Education recommended that House Bill No. 347 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 346:

The Committee on Education recommended that Engrossed House Bill No. 346 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 128:

The Committee on Labor and Labor Statistics recommended that Engrossed House Bill No. 128 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 68:

The Committee on Judiciary recommended that House Bill No. 68 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 94:

The Committee on Judiciary recommended that Engrossed House Bill No. 94 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 561:

The Committee on Educational Institutions recommended that Engrossed House Bill No. 561 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 121:

A majority of the Committee on Education recommended that House Bill No. 121 do pass.

A part of the Committee on Education recommended that House Bill No. 121 do not pass.

A part of the Committee on Education referred House Bill No. 121 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 117:

A majority of the Committee on Public Utilities recommended that House Bill No. 117 do pass.

A minority of the Committee on Public Utilities recommended that House Bill No. 117 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 92; also

• House Bill No. 113; also

House Bill No. 148; also

House Bill No. 188; also

House Bill No. 189; also

House Bill No. 264; and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 407 and passed the bill as amended by the Senate.

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 263, and passed the bill as amended by the Senate.

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 257 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 135 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 100 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 55 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 135; also Engrossed Senate Bill No. 188; also Senate Bill No. 412; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 289; also Engrossed Senate Bill No. 372; also Senate Bill No. 469; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 300; also Senate Bill No. 376; also Senate Bill No. 391; also Senate Bill No. 392; also Senate Bill No. 393; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 65; also
Engrossed Senate Bill No. 103; also
Engrossed Senate Bill No. 402; also
Senate Bill No. 403; also
Senate Joint Memorial No. 11; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 420 with the following amendment:
In section 1, page 2, line 2 of the engrossed bill, being line 21 of the printed bill, strike the word "therefore" and insert in lieu thereof the word "therefor".
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Reardon, the Senate concurred in the House amendment.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 420, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Absent or not voting: Senators Drumheller, Klemgard, Maxwell, Moe and Murphy—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 321 with the following amendment:
"Amend the bill by renumbering the sections following section 4 to read consecutively."
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Maxwell, the Senate concurred in the House amendment.

The Secretary called the roll on the final passage of Senate Bill No. 321, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—39.

Absent or not voting: Senators Drumheller, Haddon, Klemgard, Moe, Murphy, Roup and Troy—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President signed House Bill No. 92, House Bill No. 113, House Bill No. 148, House Bill No. 188, House Bill No. 189, also House Bill No. 264; also Senate Joint Resolution No. 1, Senate Joint Resolution No. 8, also Senate Bill No. 25, Senate Bill No. 51, Senate Bill No. 104, Senate Bill No. 105, Senate Bill No. 108, Senate Bill No. 110, Senate Bill No. 138, also Senate Bill No. 146.

GENERAL FILE

House Bill No. 368:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred House Bill No. 368, entitled: "An Act relating to fraternal benefit societies; permitting such societies to admit to beneficiary membership certain persons without medical examination; and amending section 212 of chapter 49 of the Laws of 1911 (section 7265 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman.*

We concur in this report: W. C. Dawson, C. F. Stinson, Kebel Murphy, H. I. Kyle. W. R. Orndorff, Geo. A. Lovejoy.

On motion of Senator McDonald the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 368, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Those voting nay were: Senators Henderson and Keeler—2.

Absent or not voting: Senators Duggan, Haddon, Klemgard, Moe and Rosellini—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 181:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred House Bill No. 181, entitled: "An Act relating to the payment of bounties for the killing of certain predatory animals and amending section 2 of chapter 63 of the Laws of 1937

(section 3708-2, Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Geo. F. McAulay, Chairman.

We concur in this report: J. W. Henderson, J. M. Koontz, Clifford O. Moe, Robert T. McDonald, Ted. F. Schroeder.

On motion of Senator McAulay the report of the committee was received and the bill was read the third time.

Senator Sieler moved the adoption of the following amendment:

Amend section 1, line 7 of the printed bill, same being line 12 of the original bill. Strike five dollars (\$5) and insert three (\$3).

On motion of Senator McMillan the amendment was laid on the table.

Senators Ferryman, McMillan and McAulay demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 181, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Morgan, Murphy, Reardon, Roberts, Rosellini, Schroeder, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—31.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Holt, Keeler, Mills, Murfin, Orndorff, Percival, Roup, Shorett and Sieler—13.

Absent or not voting: Senators Klemgard and Moe—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Shorett gave notice that at the proper time he would move to reconsider the vote by which House Bill No. 181 passed the Senate.

Engrossed House Bill No. 425:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 425, entitled: "An Act relating to revenue and taxation; providing for the levy and collection of taxes on estates, gifts and transfers in contemplation or to take effect upon death, legacies, inheritances, bequests, devises and successions applicable to property whether held jointly or severally, and to insurance payable upon death; providing for certain exemptions; providing for the appointment and fixing compensation of appraisers; providing for a penalty for delinquency; providing for the application of the act to pending cases; providing for the amendment of section 2, chapter 55, Laws of 1901, as amended; section 4, chapter 134, Laws of 1931, as amended; section 12, chapter 55, Laws of 1901, as amended; section 115, chapter 180, Laws of 1935; section 8, chapter 55, Laws of 1917, as amended; section 4, chapter 146, Laws of 1917, as amended; section 95, chapter 156, Laws of 1917, as amended; section 13, chapter 55, Laws of 1901, as amended; section 7, chapter 134, Laws of 1931, as amended; section 1, chapter 93, Laws of 1905, as amended; section 9, chapter 134, Laws of 1931, as amended; declaring an emergency and that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate, with the recommendation that it do pass with the following amendments:

Amend section 1, page 2, line 23, of the engrossed bill, the same being section 1, page 2, line 19, of the printed bill, after the figure "25%;" by inserting a new paragraph to read as follows:

"Any devise, bequest, legacy, gift or beneficial interest to any property or income therefrom passing in trust shall be classified and taxed in accordance with the relationship of the cestui que trust."

Amend Sec. 5, page 12, lines 19 and 20, of the engrossed bill, the same being Sec. 5, page 7, line 43, of the printed bill, after the word "by" strike the words "any beneficiary" and insert in lieu thereof the words "all beneficiaries".

Amend Sec. 7, page 15, line 17, of the engrossed bill, the same being Sec. 7, page 9, line 27, of the printed bill, by striking the asterisks and the word "possible" and insert in lieu thereof the word "probable".

Amend Sec. 7, page 15, line 18, of the engrossed bill, the same being Sec. 7, page 9, line 28, of the printed bill, by striking the colon (:) after the word "taxes" and insert in lieu thereof a period (.), and strike the remainder of the paragraph.

Amend Sec. 8, page 16, lines 16 and 17, of the engrossed bill, the same being the entire House amendment to Sec. 8, page 10, line 9, of the printed bill, by striking the words "not more than".

Amend Sec. 8, page 16, line 18, of the engrossed bill, the same being Sec. 8, page 10, line 9, of the printed bill, by striking the period (.) after the word "estate" and adding the following words: "and no more."

Amend Sec. 9, page 16, line 30, of the engrossed bill, the same being Sec. 9, page 10, line 20, of the printed bill, by striking the word "is" and insert in lieu thereof the word "as".

Amend Sec. 12, page 20, lines 13 and 14, of the engrossed bill, the same being the House amendment to Sec. 12, page 12, lines 8 and 9, of the printed bill, after the word "existing" and before the word "under" insert the following words: "or hereafter organized".

Amend the title, in line 10 of the engrossed bill, the same being line 6 of the title of the printed bill, by striking everything after the word "cases;" and insert in lieu thereof the following:

"; providing for the amendment of sections 2, 12 and 13, chapter 55, Laws of 1901, as amended; section 1, chapter 93, Laws of 1905, as amended; section 8, chapter 55, Laws of 1917, as amended; section 4, chapter 146, Laws of 1917, as amended; section 95, chapter 156, Laws of 1917, as amended; sections 4, 7 and 9, chapter 134, Laws of 1931, as amended; sections 107 and 115, chapter 180, Laws of 1935; declaring an emergency and that this act shall take effect immediately." A. M. MURFIN, *Chairman*.

We concur in this report: W. R. Orndorff, Kebel Murphy, Harold P. Troy, Ralph Metcalf, Pearl A. Wanamaker, James T. Sullivan.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

Senator Atkinson moved the adoption of the following amendment:

Amend section 3, by striking all of said section.

On motion of Senator Maxwell, the amendment was laid on the table.

On motion of Senator Murfin, the committee amendments to the bill were adopted.

On motion of Senator Murfin, the following amendments were adopted:

Amend section 11, page 11, line 40, of the printed bill, after the word "character" strike the colon and the words "Provided such" and insert the words "if such".

Amend section 11, page 12, line 25 of the printed bill, following the word "character" strike the colon and the words "Provided such" and insert the words "if such".

Senator Atkinson moved the adoption of the following amendment:

Amend the bill on page 12, between Sec. 13 and Sec. 14 insert a new section 13½, reading as follows:

Section 13½. Chapter 96 of the Laws of 1931 (section 11111-1 of Remington's Revised Statutes; section 6882-7d of Pierce's Code) be and the same hereby is repealed, and a tax of 20 mills shall be imposed on the value of all intangible personal property not specifically exempted by law, the value of such intangibles to be determined by multiplying their yearly income by 10 (ten).

On motion of Senator Maxwell, the amendment was laid on the table.

On motion of Senator Murfin, the committee amendment to the title was adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 425, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Bloomer, Klemgard, McMillan and Murphy—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 30:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 30, entitled: "An Act declaring the promotion of organized legal aid to be in the public interest, defining legal aid bureaus, authorizing their creation, providing for their financing by certain counties and their operation by legal aid county committees and the Washington State Bar Association.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

We concur in this report: H. I. Kyle, Ralph Metcalf, Harold P. Troy, Leroy L. Todd, Albert D. Rosellini, Mary Farquharson, F. L. Morgan.

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 30, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Geo. F. McAulay.

On motion of Senator Duggan, the reports of the committee were received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 30, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Those voting nay were: Senators Keeler and McAulay—2.

Absent or not voting: Senators Duggan, Klemgard and Murphy—3.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 282:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Commerce and Manufacturing, to whom was referred Engrossed House Bill No. 282, entitled: "An Act relating to unfair competition, discrimination and practices in connection with the sale of certain articles and commodities and the rendering of certain services; defining, prohibiting and making the same unlawful; providing for civil and criminal actions in connection therewith; and prescribing penalties.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. C. Dawson, *Chairman*.

We concur in this report: Albert D. Rosellini, Lulu D. Haddon, Ted F. Schroeder, Joseph D. Roberts.

On motion of Senator Dawson, the report of the committee was received and the bill was read the third time.

Senator Farquharson moved the adoption of the following amendment:

Amend section 1, line 11, of the printed bill, same being lines 23 to 31 of the original bill. Insert a semi-colon after word "vendor" in line 11 of the printed bill, and strike everything through line 17.

On motion of Senator Maxwell, the amendment was laid on the table.

On motion of Senator Murfin, the following amendment was adopted:

Amend section 1, lines 15 and 16 of the printed bill by striking the words "interest on borrowed capital,".

President Meyers assumed the chair.

Senators Murfin, Lovejoy and Roberts demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 282, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Farryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wana-maker—37.

Those voting nay were: Senators Drumheller, Duggan, Farquharson, Keller, Morgan and Roup—6.

Absent or not voting: Senators Klemgard, Malstrom and Moe—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 71:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 71, entitled: "An Act relating to birth certificates and adding certain sections to the statutes relating to vital statistics established by chapter XCVIII of the Laws of 1891, (being Remington's Revised Statutes, sections 6011 to 6039 inclusive)", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Clifford O. Moe, Geo. F. McAulay, Mary Farquharson, Herbert H. Sieler, Harold P. Troy, H. I. Kyle, Leroy L. Todd, Ralph Metcalf, Albert D. Rosellini, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senators Kyle, Orndorff and Duggan demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 71, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Absent or not voting: Senators Drumheller, Farquharson, Klemgard, Malstrom, Maxwell, Moe, Murfin, Reardon, Schroeder, Stinson—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 35:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 35, entitled: "An Act relating to and creating a fund in the state treasury to be known as the Volunteer Firemen's Relief and Compensation Fund, and amending section 2, chapter 121, of the Session Laws of 1935.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Clifford O. Moe, Geo. F. McAulay, Mary Farquharson, Herbert H. Sieler, Harold P. Troy, H. I. Kyle, Leroy L. Todd, Ralph Metcalf, Albert D. Rosellini, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 35, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt,

Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—37.

Absent or not voting: Senators Duggan, Klemgard, Malstrom, Mills, Moe, Rosellini, Schroeder, Shorett and Stinson—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 225:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Mines and Mining, to whom was referred House Bill No. 225, entitled: "An Act relating to coal mining, providing qualifications for hoist engineers, and amending sections 69 and 88 of chapter 36 of the Laws of 1917.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CLIFFORD O. MOE, *Chairman.*

We concur in this report: Alfred E. Holt, Keel Murphy, Thomas Voyce, D. E. McMillan.

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Mines and Mining, to whom was referred House Bill No. 225, entitled: "An Act relating to coal mining, providing qualifications for hoist engineers, and amending sections 69 and 88 of chapter 36 of the Laws of 1917.", have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

We concur in this report: Fred S. Duggan, J. M. Koontz.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Duggan the following amendment was adopted:

Amend section 2, line 19 of the printed bill, strike words "and inquests" in line 19.

Senators Kyle, Farquharson and Morgan demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 225, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—38.

Absent or not voting: Senators Atkinson, Drumheller, Henderson, Klemgard, Metcalf, Roberts, Shorett and Troy—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 327:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Engrossed House Bill No. 327, entitled: "An Act for relief of the Sokulk Indians, providing for their fishing in designated areas.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. F. McAULAY, *Chairman.*

We concur in this report: Ted F. Schroeder, Robert T. McDonald, J. M. Koontz, D. E. McMillan, Clifford O. Moe, Gordon Klemgard.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 327, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Rear-don, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Those voting nay were: Senator Maxwell—1.

Absent or not voting: Senators Duggan, Klemgard, Moe and Murphy—4. The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 247:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 247, entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the college current fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Clifford O. Moe, Geo. F. McAulay, Mary Farquharson, Herbert H. Sieler, H. I. Kyle, Albert D. Rosellini, A. M. Murfin, Ralph Metcalf, Le-roy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 247, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills,

Morgan, Murfin, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Wanamaker—36.

Absent or not voting: Senators Bloomer, Drumheller, Kerstetter, Klemgard, Koontz, Maxwell, Moe, Murphy, Orndorff and Voyce—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 248:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 248, entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the current state school suspense fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Clifford O. Moe, Geo. F. McAulay, H. I. Kyle, Herbert H. Sieler, Mary Farquharson, Ralph Metcalf, Albert D. Rosellini, A. M. Murfin, Leroy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 248, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Farquharson, Henderson, Holt, Keeler, Keller, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Morgan, Murfin, Percival, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—31.

Absent or not voting: Senators Bloomer, Drumheller, Edwards, Ferryman, Haddon, Kerstetter, Klemgard, Maxwell, McDonald, Mills, Moe, Murphy, Orndorff, Reardon and Roberts—15.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 249:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 249, entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the state athletic fund, and defining the duties and powers of the state treasurer in connection therewith; repealing section 21 of chapter 184 of the Laws of 1933, being section 8276-21, Remington's Revised Statutes; and declaring that this

act shall take effect April 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Clifford O. Moe, Geo. F. McAulay, H. I. Kyle, Herbert H. Sieler, Mary Farquharson, Albert D. Rosellini, A. M. Murfin, Ralph Metcalf, Leroy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 249, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Metcalf, Moe, Morgan, Murfin, Orndorff, Percival, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—32.

Absent or not voting: Senators Bloomer, Drumheller, Edwards, Haddon, Kerstetter, Klemgard, McDonald, McMillan, Mills, Murphy, Reardon, Roberts, Roup and Schroeder—14.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 250:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 250, entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the veterans' compensation bond retirement fund, and defining the duties and powers of the state treasurer in connection therewith," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Clifford O. Moe, Geo. F. McAulay, H. I. Kyle, Herbert H. Sieler, Mary Farquharson, Ralph Metcalf, Albert D. Rosellini, A. M. Murfin, Leroy L. Todd.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 250, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Shorett, Stinson, Sullivan, Todd, Troy and Voyce—38.

Those voting nay were: Senators Rosellini, Roup, Schroeder, Sieler, Thomas and Wanamaker—6.

Absent or not voting: Senators Kerstetter and Klemgard—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 253:

On motion of Senator Troy, House Bill No. 253 was ordered placed at the head of the calendar tomorrow.

Senator Drumheller assumed the chair.

House Bill No. 286:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 22, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred House Bill No. 286, entitled: "An Act relating to irrigation districts under contract with the United States, or any department or agent thereof, to sell certain district property and rights; limiting the time within which actions to enforce any right or claim arising out of the issuance or ownership of the district bonds must be brought; and providing that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman*.

We concur in this report: J. M. Koontz, Herbert H. Sieler, Geo. F. McAulay, C. F. Stinson, Clifford O. Moe.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

Senators Kyle, Morgan and Murphy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 286, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Thomas, Todd, Voyce and Wanamaker—39.

Absent or not voting: Senators Kerstetter, Klemgard, Maxwell, Reardon, Sieler, Sullivan and Troy—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 227:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred House Bill No. 227, entitled: "An Act to regulate the sale, transportation, loading, packing, marketing and disposal of honey; to prevent fraud and deception therein; giving authority to the director to establish standards for honey; providing for a Washington state honey seal and its use; providing means for enforcement; and providing penalties.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

D. E. McMILLAN, *Chairman*.

We concur in this report: Ted F. Schroeder, A. M. Murfin, John H. Ferryman, Henry J. Copeland, Howard Roup, Leroy L. Todd.

On motion of Senator McMillan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 227, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Edwards, Kerstetter, Klemgard, Maxwell, Moe and Reardon—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Substitute House Bill No. 192:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Substitute House Bill No. 192, entitled: "An Act relating to public highways; providing for the establishment, location, construction and maintenance of mine to market roads; defining the powers and duties of certain state officers; providing for the use of state, county and other public funds; providing for an appropriation; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman.*

We concur in this report: Joe L. Keeler, T. C. Bloomer, C. F. Stinson, Lulu D. Haddon, Earl Maxwell, W. R. Orndorff, Herbert H. Sieler, Ted F. Schroeder, J. W. Henderson, H. I. Kyle, J. M. Koontz, Pearl A. Wanamaker, Howard Roup, Thomas Voyce, Clifford O. Moe, Leroy L. Todd, Geo. F. McAulay.

On motion of Senator Lovejoy, the Senate resolved itself into a committee of the whole to consider Substitute House Bill No. 192.

The bill was considered in the committee of the whole, Senator Lovejoy in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Lovejoy, the report of the committee of the whole was adopted.

Senator Lovejoy moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Bloomer, Schroeder and McAulay demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Substitute House Bill No. 192, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald,

McMillan, Metcalf, Moe, Morgan, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Farquharson, Klemgard, Maxwell, Mills, Murphy, Reardon and Sullivan—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The President signed Senate Bill No. 197, Senate Bill No. 228, Substitute Senate Bill No. 254, Senate Bill No. 257 and Senate Bill No. 359.

At 11:12 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTY-EIGHTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASHINGTON, Tuesday, March 7, 1939.

The Senate was called to order at 10:00 a. m., by President Meyers.

The Clerk called the roll and announced to the President that all Senators were present, except Senators Keller, Maxwell, Reardon and Schroeder.

Reverend Dwight Smith, of the United Churches of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

REPORTS OF STANDING COMMITTEES

Re-Engrossed House Bill No. 324:

A part of the Committee on Horticulture recommended that Re-Engrossed House Bill No. 324 do pass.

A part of the Committee on Horticulture referred Re-Engrossed House Bill No. 324 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 271:

The Committee on Corporations Other Than Municipal recommended that House Bill No. 271 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 393:

The Committee on Dairy and Livestock recommended that Engrossed House Bill No. 393 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Substitute House Bill No. 226:

The Committee on Horticulture referred Substitute House Bill No. 226 back to the Senate without recommendation.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 382:

The Committee on Counties and County Boundaries referred House Bill No. 382 back to the Senate without recommendation.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 277:

A majority of the Committee on Appropriations recommended that Engrossed House Bill No. 277 do pass.

A part of the Committee on Appropriations referred Engrossed House Bill No. 277 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

Engrossed House Bill No. 541:

A majority of the Committee on Horticulture recommended that Engrossed House Bill No. 541 do pass.

A minority of the Committee on Horticulture referred Engrossed House Bill No. 541 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 224:

The Committee on Appropriations recommended that House Bill No. 224 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 298:

The Committee on Judiciary recommended that House Bill No. 298 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 221:

The Committee on Judiciary recommended that House Bill No. 221 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 426:

The Committee on Judiciary recommended that House Bill No. 426 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 299:

The Committee on Judiciary recommended that House Bill No. 299 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 312:

The Committee on Judiciary recommended that House Bill No. 312 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 438:

The Committee on Education recommended that Engrossed House Bill No. 438 do pass.

The report of the committee, together with the bill, was placed on general file.

GENERAL FILE**House Bill No. 253:**

On motion of Senator Troy, House Bill No. 253 was ordered placed at the end of the calendar.

House Bill No. 369:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 369, entitled: "An Act relating to the appointment of police matrons; amending section 4 of chapter 15 of the Laws of 1893 (section 9285 of Remington's Revised Statutes); and repealing section 5 of chapter 15 of the Laws of 1893 (section 9286 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Clifford O. Moe, Geo. F. McAulay, Mary Farquharson, Albert D. Rosellini, H. I. Kyle, Leroy L. Todd, Ralph Metcalf, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 369, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Roup, Shorett, Stinson, Sullivan, Thomas, Todd and Voyce—34.

Absent or not voting: Senators Drumheller, Ferryman, Haddon, Keller, Maxwell, Moe, Reardon, Rosellini, Schroeder, Sieler, Troy and Wanamaker—12.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 269:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 269, entitled: "An Act relating to official court reporters and repealing section 1, chapter 66, Laws of 1919 (section 42-13 of Remington's Revised Statutes), and amending section 4, chapter 126, Laws of 1913 (section 42-4 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Clifford O. Moe, Geo. F. McAulay, Mary Farquharson, Leroy L. Todd, Harold P. Troy, H. I. Kyle, Albert D. Rosellini, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senators Murphy, Henderson and Shorett demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 269, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Kerstetter, Koontz, Kyle, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Roberts, Rosellini, Roup, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—34.

Those voting nay were: Senators Dawson, Holt, Lovejoy and Sieler—4.

Absent or not voting: Senators Farquharson, Keeler, Keller, Klemgard, Maxwell, Percival, Reardon, Schroeder—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 385:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred House Bill No. 385, entitled: "An Act relating to insurance and amending section 1 of chapter 120 of the Laws of 1937 (section 7054-1 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman.*

We concur in this report: W. C. Dawson, Keel Murphy, C. F. Stinson, W. R. Orndorff, Geo. A. Lovejoy, H. I. Kyle.

On motion of Senator McDonald, the report of the committee was received and the bill was read the third time.

Senator Keeler assumed the chair.

The Secretary called the roll on the final passage of House Bill No. 385, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Absent or not voting: Senators Drumheller, Duggan, Farquharson, Keller, Klemgard, Kyle, Maxwell and Reardon—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 184:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Education, to whom was referred Engrossed House Bill No. 184, entitled: "An Act relating to education, amending section 4, chapter 28, Laws of 1933.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, part 8, line 29 of the original bill, the same being section 1, part 8, line 15 of the printed bill, by striking the comma (,) after the word "reservation" and inserting in lieu thereof the following: "or property,".

LULU D. HADDON, *Chairman.*

We concur in this report: Pearl A. Wanamaker, Kathryn E. Malstrom, Gordon Klemgard.

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Education, to whom was referred Engrossed House Bill No. 184, entitled: "An Act relating to education, amending section 4, chapter 28, Laws of 1933.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*

We concur in this report: K. W. Reardon.

On motion of Senator Haddon, the report of the committee was received and the bill was read the third time.

On motion of Senator Wanamaker, the committee amendment was adopted. Senator Holt moved the adoption of the following amendment:

Amend subsection 8, line 15 of the printed bill, after the word "any" and before the word "military" insert the words "tax exempt orphanage" and a comma.

On motion of Senator Haddon, the amendment was laid on the table.

The Secretary called the roll on the final passage of Engrossed House Bill No. 184 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Edwards, Farquharson, Haddon, Holt, Keller, Kerstetter, Klemgard, Koontz, Malstrom, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—32.

Those voting nay were: Senators Duggan, Henderson, Keeler, Kyle, Lovejoy, McAulay, Morgan, Murphy, Orndorff—9.

Absent or not voting: Senators Bloomer, Drumheller, Ferryman, Maxwell and Reardon—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 253:

Senator Wanamaker moved that Engrossed House Bill No. 253 be placed at the head of the next calendar.

On motion of Senator Kyle, the motion was laid on the table.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 253, entitled: "An Act relating to the oyster reserve fund; transferring certain moneys from the oyster reserve fund to the fisheries fund and abolishing the oyster reserve fund; and amending section 105 of chapter 31 of the Laws of 1915 (being section 5759, Remington's Revised Statutes); and declaring that this act shall take effect April 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Clifford O. Moe, Geo. F. McAulay, H. I. Kyle, Herbert H. Sieler, Leroy L. Todd, Mary Farquharson, Ralph Metcalf, Albert D. Rosellini, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senators Kyle, Duggan and Murfin demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 253, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Roup, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Drumheller, Maxwell, Moe, Reardon, Rosellini, Schroeder and Sieler—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Wanamaker, the rules were suspended and all bills that passed the Senate this morning were ordered engrossed and immediately transmitted to the House.

The rules were suspended and the Senate referred back to the fourth order of business for the purpose of receiving a message from the Governor.

The Secretary read:

MESSAGE FROM THE GOVERNOR

State of Washington, Executive Department,
Olympia, March 7, 1939.

To the Honorable, The Senate of the State of Washington:

LADIES AND GENTLEMEN:

I have the honor to advise that the Governor has approved the following Senate Bills, entitled:

Senate Bill No. 50: "An Act relating to inspection of bakeries, and amending section 8 of chapter 137 of the Laws of 1937."

Senate Bill No. 88: "An Act relating to port districts in counties of the first class, authorizing the establishment, acquisition, improvement and development of industrial development districts therein, providing for the sale and lease of property within such industrial development districts, and providing penalties for the violation of this act."

Senate Bill No. 114: "An Act relating to state government and state institutions, providing for the establishment and operation of a public institution for the treatment and care of persons afflicted with Buerger's disease, and for experimental and scientific study of such disease and the medicinal and curative properties of the waters of Soap Lake, making an appropriation, and declaring this act shall take effect immediately."

Very truly yours,

RICHARD HAMILTON,

Secretary to the Governor.

At 10:55 o'clock a. m., on motion of Senator Orndorff the Senate recessed until 3:30 o'clock p. m. today.

AFTERNOON SESSION

The Senate reconvened at 3:30 o'clock p. m., Senator Orndorff in the chair. Then Chair announced that the Senate would be at ease until 3:45 o'clock p. m.

At 3:45 o'clock p. m., the Senate was called to order by President Pro Tempore Reardon.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

REPORTS OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bills Nos. 103, 372, 402 and 420, have compared same with the Engrossed Bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Monty Percival, Mary Farquharson, W. C. Dawson, A. M. Murfin.

Senate Chamber,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bills Nos. 65, 135, 289, 300, 321, 376, 391, 392, 393, 403, 412, 469 and Senate Joint Memorial No. 11, have compared same with the original bills and Memorial and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Monty Percival, Mary Farquharson, W. C. Dawson, A. M. Murfin.

The reports were ordered received.

REPORTS OF STANDING COMMITTEES

House Bill No. 175:

The Committee on Revenue and Taxation recommended that House Bill No. 175 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed House Bill No. 90:

A majority of the Committee on Cities of the First Class recommended that Engrossed House Bill No. 90 do pass with certain amendments.

A part of the Committee on Cities of the First Class recommended that Engrossed House Bill No. 90 do not pass.

A part of the Committee on Cities of the First Class referred Engrossed House Bill No. 90 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

House Bill No. 365:

The Committee on Judiciary recommended that House Bill No. 365 do pass.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 401:

The Committee on Parks and Playgrounds recommended that House Bill No. 401 do pass.

The report of the committee, together with the bill, was placed on general file.

Engrossed Substitute House Bill No. 392:

The Committee on Roads and Bridges recommended that Engrossed Substitute House Bill No. 392 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

House Bill No. 287:

The Committee on State Granted, School and Tide Lands recommended that House Bill No. 287 do pass.

The report of the committee, together with the bill, was placed on general file.

On motion of Senator Duggan, the Senate referred back to the first order of business for the purpose of presenting a resolution.

The Secretary read:

SENATE RESOLUTION

By Senator Duggan:

WHEREAS, Over a period of years, the rules of the Senate have become unduly cumbersome and complicated; and

WHEREAS, By gradual accumulation, the number of committees and committee memberships has increased to such an extent that it impairs the efficiency of this body by reason of conflict in committee meetings;

Now, Therefore, Be It Resolved, That the President of the Senate be hereby empowered to appoint a committee of five (5) members which shall consider changes in the Senate rules, with particular regard to the revision of Senate committees, in order to improve the efficiency of this body.

Be It Further Resolved, That said committee report back to the Senate not later than the second day of the next legislative session with its recommendations for whatever amendments of the rules it may deem necessary.

On motion of Senator Duggan, the resolution was adopted.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

President Meyers assumed the Chair.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 2; also House Bill No. 152; also House Bill No. 201; also House Bill No. 257; also House Bill No. 263; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 25; also Senate Bill No. 51; also Senate Bill No. 104; also Senate Bill No. 105; also Senate Bill No. 108; also Senate Bill No. 110; also Senate Bill No. 146; also Senate Bill No. 197; also Senate Bill No. 228; also Substitute Senate Bill No. 254; also Senate Bill No. 257; also Senate Bill No. 359; also Senate Joint Resolution No. 1; also Senate Joint Resolution No. 8; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 138; and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 109; also Senate Bill No. 115; also Engrossed Senate Bill No. 225; also Engrossed Senate Bill No. 333; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The President signed House Bill No. 2, House Bill No. 152, House Bill No. 201, House Bill No. 257, also House Bill No. 263. Senate Joint Memorial No. 11, Senate Bill No. 65, Senate Bill No. 103, Senate Bill No. 135, Senate Bill No. 289, Senate Bill No. 300, Senate Bill No. 321, Senate Bill No. 343, Senate Bill No. 372, also Senate Bill No. 376, Senate Bill No. 391, Senate Bill No. 392, Senate Bill No. 393, Senate Bill No. 402, Senate Bill No. 403, Senate Bill No. 412, Senate Bill No. 420; also Senate Bill No. 469.

GENERAL FILE

House Bill No. 399:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Insurance to whom was referred House Bill No. 399, entitled: "An Act relating to insurance; providing for the withdrawal of insurers from business; prescribing the procedure therefor; and amending chapter 49 of the Laws of 1911, as amended (sections 7032 to 7298, inclusive, of Remington's Revised Statutes) by adding thereto a new section to be known as section 81A.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman*.

We concur in this report: C. F. Stinson, Albert D. Rosellini, Kebl Murphy, W. C. Dawson, Geo. A. Lovejoy.

On motion of Senator McDonald, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 399, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Drumheller, Ferryman, Maxwell and Reardon—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the rules were suspended and the Senate referred back to the second order of business for the purpose of receiving a committee report.

REPORT OF STANDING COMMITTEE**Engrossed House Bill No. 172:**

The Committee on Liquor Control recommended that Engrossed House Bill No. 172 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 101 with the following amendment: In section 1, line 7 of the Engrossed Senate Bill, being line 5 of the Senate amendment, strike the words "the appellant, the department or any other" and insert in lieu thereof the word "no", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Moe, the Senate concurred in the House amendment.

The Chair announced that Engrossed Senate Bill No. 101 is now on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 101, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Those voting nay were: Senator Reardon—1.

Absent or not voting: Senators Edwards, Ferryman, Maxwell, Mills and Stinson—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 145:

On motion of Senator Murfin, Engrossed House Bill No. 145 was ordered put over until tomorrow for consideration.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 226 with the following amendment: In section 4, page 6, line 7, of the Engrossed Senate Bill, being line 23 of the amendment to the printed bill, strike the semi-colon (;) following the word "sale" and insert in lieu thereof a period (.) and strike the remainder of the section., and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Roberts moved that the Senate refuse to concur in the House amendment to Engrossed Senate Bill No. 226 and that the House be requested to recede therefrom.

The motion by Senator Roberts carried.

GENERAL FILE

Engrossed House Bill No. 128:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 128, entitled: "An Act relating to labor; declaring the rebating of wages, underpayment of agreed wages and certain deductions from wages to be unlawful; providing penalties and providing a civil remedy," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, sub-title 2, line 15 of the original bill the same being section 1, sub-title 2, line 6 of the printed bill and after the word "ordinance" by striking the following words and comma: "agreement arrived at through collective bargaining,".

PEARL A. WANAMAKER, *Chairman*.

We concur in this report: C. F. Stinson, Paul G. Thomas, Chapin A. Mills, Leroy L. Todd, G. B. Kerstetter.

On motion of Senator Wanamaker, the report of the committee was received, and the bill was read the third time.

On motion of Senator Wanamaker, the committee amendment was adopted.

On motion of Senator Kerstetter, the following amendment was adopted:

Amend House Bill No. 128, Sec. 2, by adding after the word "employee" at the end of line 20, page 1 in the printed bill, the following: "Nor shall the provisions of section 1 make it unlawful for an employer to withhold deductions for medical, surgical, or hospital care or service, pursuant to any rule or regulation".

Senator Reardon assumed the Chair.

On motion of Senator Kyle, the following amendment was adopted:

Amend Sec. 4 by striking the word "employee" in the first line of the House amendment to section 4 and insert in lieu thereof the word "employer".

The Secretary called the roll on the final passage of Engrossed House Bill No. 128 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Drumheller, Edwards, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Those voting nay were: Senators Copeland, Dawson, Duggan, Klemgard, Murfin—5.

Absent or not voting: Senators Haddon, Roberts and Shorett—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Koontz assumed the Chair.

Engrossed House Bill No. 380:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 380, entitled: "An Act relating to assessment, levy and collection of taxes and amending section 25 of chapter 130 of the Laws of the Extraordinary Session of 1925 (section 11129 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman*.

We concur in this report: F. L. Morgan, W. R. Orndorff, Harold P. Troy, Ralph Metcalf, Alfred E. Holt, Pearl A. Wanamaker, Kebel Murphy.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

Senator Wanamaker moved the adoption of the following amendment:

Amend section 1 by striking all after the enacting clause and insert in lieu thereof the following: SECTION 1. The state auditor shall, on the first day of April, 1939, or as soon thereafter as possible, notify the state board of equalization of the amount the state debt for the fiscal year ending on March 31st, 1939, and for any preceding fiscal year, exceeds the constitutional limitations thereon, and the state board of equalization is hereby authorized and required without regard to any limitations, now imposed by law, to levy a tax sufficient to raise such amount in the same manner that other state tax levies are made. All monies thus raised shall be used solely for the purpose of paying off the state debt in such amount as it may be on March 31st, 1939.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Senator Schroeder moved that the amendment offered by Senator Wanamaker be laid on the table.

Senators Wanamaker, Reardon, Malstrom, Farquharson, Voyce, Todd, Rosellini and Kyle demanded a roll call.

The Secretary called the roll on the motion by Senator Schroeder to lay the amendment offered by Senator Wanamaker on the table.

The motion by Senator Schroeder carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McMillan, Metcalf, Moe, Morgan, Murfin, Orndorff, Percival, Roberts, Roup, Schroeder, Sieler and Troy—25.

Those voting nay were: Senators Atkinson, Bloomer, Edwards, Farquharson, Kerstetter, Kyle, Malstrom, McDonald, Mills, Murphy, Reardon, Rosellini, Shorett, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—19.

Absent or not voting: Senators Ferryman and Haddon—2.

The Secretary called the roll on the final passage of Engrossed House Bill No. 380, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Dawson, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Those voting nay were: Senators Atkinson, Copeland, Drumheller, Kyle, Malstrom, Reardon and Roup—7.

Absent or not voting: Senators Ferryman, Moe, Murphy and Sieler—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 277:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations, to whom was referred Engrossed House Bill No. 277, entitled: "An Act relating to the control and eradication of animal diseases; and making an appropriation therefor.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: John H. Ferryman, D. E. McMillan, Monty Percival, A. E. Edwards, Geo. A. Lovejoy, W. C. Dawson, Robert T. McDonald, Kathryn E. Malstrom, Chapin A. Mills.

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations, to whom was referred Engrossed House Bill No. 277, entitled: "An Act relating to the control and eradication of animal diseases; and making an appropriation therefor.", have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman*.

We concur in this report: Alfred E. Holt, G. B. Kerstetter, Howard Roup, Gordon Klemgard, Henry J. Copeland, Paul G. Thomas.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 277.

The bill was considered in the committee of the whole, Senator Reardon in the chair, and reported back to the Senate without recommendation.

On motion of Senator Reardon, the report of the committee of the whole was adopted.

Senator Todd moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Reardon, McMillan and Murphy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 277, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Edwards, Farquharson, Haddon, Henderson, Koontz, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Schroeder, Shorett, Stinson, Todd, Troy and Wanmaker—20.

Those voting nay were: Senators Atkinson, Duggan, Holt, Keeler, Keller, Kerstetter, Kyle, Lovejoy, McAulay, Morgan, Murfin, Orndorff, Reardon, Rosellini, Roup, Sieler, Sullivan, Thomas and Voyce—19.

Absent or not voting: Senators Drumheller, Ferryman, Klemgard, Moe, Murphy, Percival and Roberts—7.

Engrossed House Bill No. 277, having failed to receive the constitutional majority, was declared lost.

Engrossed House Bill No. 94:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 94, entitled: "An Act relating to compensation of bailiffs in superior courts and amending section 10973 of Remington's Revised Statutes and repealing section 10974 of Remington's Revised Statutes.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 20 of the engrossed bill by striking the words "the sum of" and inserting in lieu thereof the words "not less than".

FRED S. DUGGAN, *Chairman.*

We concur in this report: Geo. F. McAulay, Mary Farquharson, H. I. Kyle, Herbert H. Sieler, Harold P. Troy, Leroy L. Todd, Ralph Metcalf, Albert D. Rosellini, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Reardon, the committee amendment was adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 94, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Those voting nay were: Senators Copeland, Dawson, McAulay, Mills, and Roup—5.

Absent or not voting: Senators Drumheller, Keller, Klemgard, Moe, Murphy and Schroeder—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Meyers assumed the chair.

Substitute House Bill No. 156:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a part of your Committee on Appropriations, to whom was referred Substitute House Bill No. 156, entitled: "An Act relating to the Pacific-Northwest Centennial Exposition to be held in Seattle in 1942; providing for a state exhibit therein, for the construction of state buildings therefor and creating a commission to have charge and

control thereof and defining its powers and duties; and making an appropriation therefor.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: Paul G. Thomas, Robert T. McDonald, Monty Percival, Gordon Klemgard, Mary Farquharson, Geo. A. Lovejoy, G. B. Kerstetter, Kathryn E. Malstrom, A. E. Edwards, John H. Ferryman, Howard Roup.

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a part of your Committee on Appropriations, to whom was referred Substitute House Bill No. 156, entitled: "An Act relating to the Pacific-Northwest Centennial Exposition to be held in Seattle in 1942; providing for a state exhibit therein, for the construction of state buildings therefor and creating a commission to have charge and control thereof and defining its powers and duties; and making an appropriation therefor.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

We concur in this report: W. C. Dawson, Henry J. Copeland, Chapin A. Mills, D. E. McMillan, Joseph Drumheller.

Senator Wanamaker assumed the chair.

On motion of Senator Lovejoy, the Senate resolved itself into a committee of the whole to consider Substitute House Bill No. 156.

The bill was considered in the committee of the whole, Senator Reardon in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Reardon, the report of the committee was adopted.

On motion of Senator Lovejoy, the following amendment made in the committee of the whole was adopted:

Amend Sec. 3, line 12 of the printed bill by changing the word "adaption" to "adaptation".

Senator Roberts moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Substitute House Bill No. 156, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Farquharson, Ferryman, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Metcalf, Percival, Reardon, Roberts, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—22.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, McMillan, Mills, Morgan, Murfin, Orndorff, Rosellini, Roup, Sieler and Stinson—18.

Absent or not voting: Senators Duggan, Klemgard, Koontz, McAulay, Moe and Murphy—6.

Substitute House Bill No. 156, as amended, having failed to receive the constitutional majority was declared lost.

Senator Rosellini gave notice that at the proper time tonight he would move to reconsider the vote by which Substitute House Bill No. 156 failed to pass the Senate.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 223; also
Senate Bill No. 269; also
Engrossed Senate Bill No. 409; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 350 with the following amendment:

In section 1, line 10 of the original bill, being line 4 of the printed bill, strike the period (.) after the word "Washington" and insert in lieu thereof a comma (,) and add the following: "to be expended independently of or in conjunction with funds allocated by the federal, county or state governments or agencies or in conjunction with funds allocated for work projects: *Provided*, That the above appropriation shall become available only upon written approval of the Governor.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Lovejoy, the Senate concurred in the House amendment.

The Secretary called the roll on the final passage of Senate Bill No. 350, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Kerstetter, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—34.

Those voting nay were: Senators Farquharson, Holt, Kyle and Morgan—4.

Absent or not voting: Senators Drumheller, Duggan, Keeler, Keller, Klemgard, Moe, Murphy and Wanamaker—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Reardon assumed the chair.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 175 with the following amendment: Amend the title—after the words "An Act" strike the remainder of the title and insert in lieu thereof the following: "Authorizing the department of finance, budget and business to build, equip and operate food processing plants, declaring the policy of such operation, creating a cannery revolving fund, making appropriations, providing that it shall be a misdemeanor to sell the products of such plants and declaring that this act shall take effect immediately.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Farquharson, the Senate concurred in the House amendment.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 175, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy and Voyce—34.

Those voting nay were: Senators Keeler, Koontz, McAulay and Stinson—4.

Absent or not voting: Senators Bloomer, Drumheller, Duggan, Moe, Morgan, Murphy, Sieler and Wanamaker—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 487 with the following amendment: In section 1, line 6 of the Engrossed Bill, being line 4, page 1 of the printed bill, strike the words "not to exceed", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Sieler, the Senate concurred in the House amendment to Engrossed Senate Bill No. 487.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 487, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Sullivan and Todd—29.

Those voting nay were: Senators Atkinson, Farquharson, Haddon, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Stinson, Thomas and Voyce—11.

Absent or not voting: Senators Drumheller, Henderson, Moe, Rosellini, Troy and Wanamaker—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Keeler, the rules were suspended and all bills passed today on which notice of reconsideration had not been given were ordered immediately transmitted to the House.

Senator Murfin assumed the chair.

GENERAL FILE

House Bill No. 381:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands to whom was referred House Bill No. 381, entitled: "An Act relating to the sale of tidelands in front of the city of La Conner.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. L. MORGAN, *Chairman.*

We concur in this report: Alfred E. Holt, J. P. Keller, Mary Farquharson, Monty Percival, Lulu D. Haddon, Harold P. Troy.

On motion of Senator Morgan, the report of the committee was received and the bill was read the third time.

At 6:10 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 8:00 o'clock p. m. this evening.

EVENING SESSION

The Senate reconvened at 8:00 o'clock p. m., Senator Keeler in the chair. On motion of Senator Orndorff the Senate recessed for ten minutes. At 8:10 o'clock p. m., the Senate reconvened, Senator Reardon in the chair. Senators Lovejoy, Orndorff and Maxwell demanded a call of the Senate. A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber. The Secretary called the roll, all Senators being present. On motion of Senator Lovejoy, the Senate proceeded under the call of the Senate.

MOTION FOR RECONSIDERATION

Senator Rosellini moved that the Senate now reconsider the vote by which Substitute House Bill No. 156 failed to pass the Senate.

Senator Drumheller moved that the motion by Senator Rosellini be laid on the table.

Senators Rosellini, Atkinson, Sullivan, Kerstetter, Joyce, Morgan, Thomas and Roberts demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Drumheller failed to carry, by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Roup—18.

Those voting nay were: Senators Atkinson, Bloomer, Edwards, Farquharson, Ferryman, Haddon, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Moe, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—26.

Absent or not voting: Senators McAulay and Sieler—2.

The Chair announced that the question now before the Senate is on the motion by Senator Rosellini to reconsider the vote by which Substitute House Bill No. 156 failed to pass the Senate.

The motion to reconsider carried.

Senators Maxwell, Keller and Kyle demanded the previous question.

The Chair announced that the question before the Senate is, "Shall the demand for the previous question be sustained?"

The demand for the previous question was sustained.

The Chair announced that the question before the Senate is the final passage of Substitute House Bill No. 156.

The Secretary called the roll on the final passage of Substitute House Bill No. 156, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Edwards, Farquharson, Ferryman, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, Moe, Percival, Reardon, Roberts, Rosellini, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—24.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Roup, Schroeder and Sieler—22.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

President Meyers assumed the chair.

GENERAL FILE

House Bill No. 381:

The Senate resumed consideration of House Bill No. 381, which had been read the third time.

The Secretary called the roll on the final passage of House Bill No. 381, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Reardon, Engrossed House Joint Resolution No. 13 was moved up on the calendar for consideration at this time.

Engrossed House Joint Resolution No. 13:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Constitutional Revision, to whom was referred Engrossed House Joint Resolution No. 13, entitled: "Providing for submission to the electors of the State of Washington a proposal to amend Article III of the Constitution of the State of Washington, by adding thereto a new section to be designated as section 26, and relating to salaries of state officers.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

H. I. KYLE, *Chairman.*

We concur in this report: Mary Farquharson, Geo. F. McAulay, Ralph Metcalf, Harold P. Troy, Kebel Murphy, K. W. Reardon.

On motion of Senator Kyle, the report of the committee was received and the bill was read the third time.

On motion of Senator Reardon, the following amendments were adopted:

Amend line 7 of the House amendment to Engrossed House Joint Resolution No. 13 by striking "Twelve Dollars (\$12.00) per day" and inserting in lieu thereof "Fifty Dollars per month".

Amend Engrossed House Joint Resolution No. 13, by adding a new paragraph to read as follows:

"And, Be It Further Resolved, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three (3) months next preceding the election, in a weekly newspaper in every county where a newspaper is published throughout the state."

The Secretary called the roll on the final passage of Engrossed House Joint Resolution No. 13 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Those voting nay were: Senators Farquharson, Metcalf, Murfin, Roup and Sieler—5.

The resolution, having received the constitutional majority, was declared passed.

On motion of Senator Reardon, the further call of the Senate was ordered dispensed with.

Substitute House Bill No. 226:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Horticulture, to whom was referred Substitute House Bill No. 226, entitled: "An Act relating to deciduous tree fruits and hops; regulating the

sale or other disposition thereof; and prescribing penalties." have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

CHAPIN A. MILLS, *Chairman*.

We concur in this report: J. M. Koontz, John H. Ferryman.

On motion of Senator Mills, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Substitute House Bill No. 226, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Atkinson, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, McAulay, Metcalf, Mills, Moe, Morgan, Reardon, Rosellini, Sullivan, Thomas, Voyce and Wanamaker—17.

Those voting nay were: Senators Bloomer, Copeland, Dawson, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Lovejoy, McDonald, McMillan, Murfin, Murphy, Orndorff, Percival, Roberts, Roup, Schroeder, Shorett, Stinson and Todd—23.

Absent or not voting: Senators Drumheller, Duggan, Koontz, Maxwell, Sieler and Troy—6.

Substitute House Bill No. 226, having failed to receive the constitutional majority, was declared lost.

Senator Moe assumed the chair.

House Bill No. 466:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred House Bill No. 466, entitled: "An Act fixing the salary of the state insurance commissioner." have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman*.

We concur in this report: C. F. Stinson, Mary Farquharson, Albert D. Rosellini, W. C. Dawson, Geo. A. Lovejoy, Keibel Murphy.

On motion of Senator McDonald, the report of the committee was received and the bill was read the third time.

Senators Rosellini, Troy and Stinson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 466, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Dawson, Drumheller, Edwards, Farquharson, Holt, Keller, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Metcalf, Moe, Orndorff, Percival, Reardon, Roberts, Rosellini, Shorett, Sieler, Stinson, Sullivan, Troy, Voyce and Wanamaker—27.

Those voting nay were: Senators Copeland, Duggan, Ferryman, Henderson, Keeler, Kerstetter, Klemgard, Koontz, McAulay, McMillan, Mills, Morgan, Murfin, Murphy, Roup, Schroeder, Thomas and Todd—18.

Absent or not voting: Senator Haddon—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION

Senator Schroeder moved that the Senate now reconsider the vote by which Substitute House Bill No. 226 failed to pass the Senate.

Senator Maxwell moved that the motion by Senator Schroeder be laid on the table.

Senators Wanamaker, Kyle, Rosellini, Farquharson, Mills, Klemgard, Murfin and Lovejoy demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Maxwell failed to carry by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Klemgard, Maxwell, McAulay, McMillan, Moe, Morgan, Murfin, Orndorff, Roberts, Roup, Sieler—21.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McDonald, Metcalf, Mills, Percival, Reardon, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—23.

Absent or not voting: Senators Keeler and Murphy—2.

The Chair announced that the question now before the Senate is on the motion by Senator Schroeder that the Senate now reconsider the vote by which Substitute House Bill No. 226 failed to pass the Senate.

Senators Drumheller, Keller, Orndorff, Farquharson, Murfin, Kyle, Klemgard and Duggan demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Schroeder failed to carry by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Farquharson, Haddon, Kerstetter, Kyle, Lovejoy, Malstrom, Metcalf, Mills, Percival, Reardon, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—22.

Those voting nay were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Henderson, Holt, Keller, Klemgard, Koontz, Maxwell, McAulay, McDonald, McMillan, Moe, Morgan, Murfin, Murphy, Orndorff, Roberts, Roup and Sieler—23.

Absent or not voting: Senator Keeler—1.

President Meyers assumed the chair.

GENERAL FILE**House Bill No. 382:**

On the motion of Senator Orndorff, it was ordered that consideration of House Bill No. 382 be deferred until tomorrow, and the bill retain its place on the calendar.

House Bill No. 565:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred House Bill No. 565, entitled: "An Act relating to dikes and drains and the

powers of diking districts, amending section 1, chapter 153, Laws of 1915 (section 4243, Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman.*

We concur in this report: Clifford O. Moe, J. M. Koontz, Geo. F. McAulay, C. F. Stinson.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

Senators Reardon, Murfin and Schroeder demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 565, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—39.

Absent or not voting: Senators Bloomer, Farquharson, Ferryman, Kerstetter, Maxwell, Rosellini and Todd—7.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Roup assumed the chair.

Engrossed House Bill No. 126:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 126, entitled: "An Act relating to irrigation districts, to the authority and duties of the county treasurer and district officers with respect to sales of land for delinquent district assessments and to the issuance of treasurer's deeds therefor, relating to district land titles, to validation of certain deeds heretofore issued in the name of an irrigation district, to district actions to quiet title, to district assessments and tolls and the liens thereof, providing the rate of interest delinquent district assessments shall bear, providing for notice of application for treasurer's deed by private holders of certificates of sale, providing that certain easement rights shall not be included in sales for delinquent district assessments, providing a limitation of actions to set aside and cancel treasurer's deeds issued on account of sales for delinquent district assessments and tolls or to recover lands sold on account of such assessments and tolls, amending chapter 5, title 48 of Remington's Revised Statutes of Washington by adding thereto a new section to be designated section 7447-1 and amending sections 7448-2 (being section 2, chapter 194, Laws of 1933), 7441, 7442, 7445, 7447 and 7454 of Remington's Revised Statutes of Washington, and repealing all acts or parts of same inconsistent or in conflict with this act or any part of same.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 3, line 40, page 2, of the printed bill, being line 22, page 3, of the engrossed bill by striking the word "eight" and inserting in lieu thereof the word "ten".

Amend section 3, line 37, page 3 of the printed bill, being line 15, page 5 of the engrossed bill by striking the word "eight" and inserting in lieu thereof the word "ten".

Amend section 4, line 32, page 5 of the printed bill, being line 2, page 9 of the engrossed bill by striking the word "eight" and inserting in lieu thereof the word "ten".

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Clifford O. Moe, Ralph Metcalf, Herbert H. Sieler, H. I. Kyle, Leroy L. Todd, Geo. F. McAulay, F. L. Morgan, A. M. Murfin, Earl Maxwell.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Reardon, the committee amendments were adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 126 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—43.

Absent or not voting: Senators Drumbheller, Farquharson, Murphy—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 221:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 221, entitled: "An Act requiring an employer to pay, to certain persons, wages earned by a deceased employee prior to death.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 2, line 7 of the printed bill, being line 13 of the original bill by striking everything after the word "indebtedness" to and including the word "kin" in line 8 of the printed bill, being line 15 of the original bill, and inserting in lieu thereof the following: "in such an amount as may be due not exceeding the sum of three hundred (\$300.00) dollars, to the said surviving spouse or if the decedent leaves no surviving spouse, then to the child or children, or if no children, then to the father or mother of said decedent."

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Ralph Metcalf, H. I. Kyle, Herbert H. Sieler, Geo. F. McAulay, F. L. Morgan, Clifford O. Moe, Leroy L. Todd.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

On motion of Senator Orndorff, the committee amendment was adopted.

The Secretary called the roll on the final passage of House Bill No. 221 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Henderson, Holt, Keeler, Keller, Kerstetter, Kyle, Malstrom, Mc-

Aulay, McDonald, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—34.

Those voting nay were: Senator Haddon—1.

Absent or not voting: Senators Atkinson, Drumheller, Farquharson, Ferryman, Klemgard, Koontz, Lovejoy, Maxwell, McMillan, Metcalf, and Troy—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Reardon, it was ordered that all bills passed by the Senate on which notice of reconsideration had not been given, be immediately engrossed and transmitted to the House.

House Bill No. 268:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Insurance, to whom was referred House Bill No. 268, entitled: "An Act providing for the regulation and supervision of the issuance and sale of certain securities to prevent fraud in the sale thereof, and amending section 6, chapter 69, Laws of 1923, as amended by section 6, chapter 97, Laws of 1935 (being section 5853-6 of Remington's Revised Statutes as amended).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman*.

We concur in this report: C. F. Stinson, W. C. Dawson, W. R. Orndorff, Geo. A. Lovejoy.

On motion of Senator McDonald the report of the committee was received and the bill was read the third time.

On motion of Senator Orndorff, it was ordered that House Bill No. 268 retain its place on the calendar and that consideration of the bill be deferred until tomorrow.

House Bill No. 406:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House Bill No. 406 entitled: "An Act providing for an appropriation for the cost of the completion of the construction of a bridge across Columbia Slough from Puget Island in the Columbia River to Cathlamet, Wahkiakum County, Washington; for certain appropriation facilities therefor; defining the power and duty of the director of highways; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman*.

We concur in this report: J. M. Koontz, J. W. Henderson, Thomas Voyce, Lulu D. Haddon, C. F. Stinson, Clifford O. Moe, Earl Maxwell, Leroy L. Todd, Pearl A. Wanamaker, Howard Roup, T. C. Bloomer.

On motion of Senator Sieler, the Senate resolved itself into a committee of the whole to consider House Bill No. 406.

The bill was considered in the committee of the whole, Senator Orndorff in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Orndorff, the report of the committee was adopted.

On motion of Senator Sieler, the following amendments made in the committee of the whole were adopted:

Amend the bill by adding a new section to be known as section 1-A to read as follows:

"Section 1-A. There is hereby appropriated from the motor vehicle fund five hundred thousand dollars (\$500,000), or so much thereof as may be necessary, for the purpose of completing Primary State Highway No. 5 from a point in the vicinity of Cartright Bridge on the west side of White Pass through said pass to a point in the vicinity of Dog Lake on the east side of said pass, and the director of highways is hereby directed to complete said highway."

Amend the title by inserting after the word "highways;" in line 4 of the title "providing for an appropriation for the completion of Primary State Highway No. 5 through White Pass;".

Senator Sieler moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of House Bill No. 406 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Mills, Morgan, Murfin, Murphy, Percival, Reardon, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Joyce and Wanamaker—31.

Those voting nay were: Senators Drumheller, Farquharson, Holt, Keeler, Klemgard, Koontz, Maxwell, McMillan, Moe, Orndorff, Roberts, Roup, Schroeder—13.

Absent or not voting: Senators Duggan and Rosellini—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 561:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Engrossed House Bill No. 561, entitled: "An Act relating to the University of Washington tuition fees and amending section 2 of chapter 169 of the Laws of 1933 (section 4547 of Remington's Revised Statutes) and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MARY FARQUHARSON, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Clifford O. Moe, Alfred E. Holt, Gordon Klemgard, Judson W. Shorett, Robert T. McDonald, James T. Sullivan, Paul G. Thomas, A. M. Murfin, Keibel Murphy, Lulu D. Haddon.

On motion of Senator Farquharson, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 561, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Absent or not voting: Senators Duggan, Maxwell, Moe and Stinson—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the rules were suspended and the Senate referred back to the second order of business for the purpose of receiving a committee report.

REPORT OF STANDING COMMITTEE

House Bill No. 535:

The Committee on Public Utilities recommended that House Bill No. 535 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 65; also
Senate Bill No. 103; also
Senate Bill No. 135; also
Senate Bill No. 289; also
Senate Bill No. 300; also
Senate Bill No. 321; also
Senate Bill No. 343; also
Senate Bill No. 372; also
Senate Bill No. 376; also
Senate Joint Memorial No. 11; and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 391; also
Senate Bill No. 392; also
Senate Bill No. 393; also
Senate Bill No. 402; also
Senate Bill No. 403; also
Senate Bill No. 412; also
Senate Bill No. 420; also
Senate Bill No. 469; and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 407; also
House Bill No. 432; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 247; also
House Bill No. 248; also
House Bill No. 249; also
House Bill No. 250; also
House Bill No. 253; also
House Bill No. 269; also
House Bill No. 286; also
House Bill No. 289; also
House Bill No. 327; also
House Bill No. 368; also
House Bill No. 369; also
House Bill No. 372; also
House Bill No. 385; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 30; also
House Bill No. 35; also
House Bill No. 40; also
House Bill No. 55; also
House Bill No. 71; also
House Bill No. 135; also
House Bill No. 177; also
House Bill No. 180; also
House Bill No. 181; also
Substitute House Bill No. 192; also
House Bill No. 227; also
House Bill No. 240; also
Substitute House Bill No. 242; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Bill No. 407, House Bill No. 432, House Bill No. 247, House Bill No. 248, House Bill No. 249, House Bill No. 250, House Bill No. 253, House Bill No. 269, House Bill No. 286, House Bill No. 289, House Bill No. 327, House Bill No. 368, House Bill No. 369, House Bill No. 372, House Bill No. 385, House Bill No. 30, House Bill No. 35, House Bill No. 40, House Bill No. 55, House Bill No. 71, House Bill No. 135, House Bill No. 177, House Bill No. 180, House Bill No. 181, Substitute House Bill No. 192, House Bill No. 227, House Bill No. 240, also Substitute House Bill No. 242.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving a committee report.

REPORT OF STANDING COMMITTEE

Engrossed House Bill No. 409:

The Committee on Fisheries recommended that Engrossed House Bill No. 409 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

At 10:40 o'clock p. m., on motion of Senator Orndorff, the Senate adjourned until 10:00 o'clock a. m., tomorrow.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

FIFTY-NINTH DAY

MORNING SESSION

SENATE CHAMBER,
OLYMPIA, WASH., Wednesday, March 8, 1939.

The Senate was called to order at 10:00 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

Reverend Samuel Everton, of the Central Baptist Church of Olympia, offered prayer.

On motion of Senator Lovejoy, the reading of the journal of the previous day was dispensed with and it was approved.

On motion of Senator Duggan, Senator Keeler was excused.

The Secretary read:

SENATE RESOLUTION

By Senator McDonald:

WHEREAS, It appears necessary and desirable that an adequate approach to the campus of the University of Washington be constructed and maintained, and

WHEREAS, The most feasible route for said approach extends from Roosevelt Way (formerly 10th Avenue Northeast) to 15th Avenue Northeast between East 40th and East 41st Streets in Seattle,

Now, Therefore, Be It Resolved, That the Washington State Senate requests the director of highways to investigate fully the proposed construction of said approach and report his findings to the Senate at the next session of the legislature.

On motion of Senator Shorett, the resolution was adopted.

GENERAL FILE

Engrossed House Bill No. 145:

On motion of Senator Maxwell, Engrossed Senate Bill No. 145 was ordered re-referred to the Committee on Rules and Joint Rules.

House Bill No. 382:

On motion of Senator Drumheller, House Bill No. 382 was ordered re-referred to the Committee on Rules and Joint Rules.

House Bill No. 268:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Insurance, to whom was referred House Bill No. 268, entitled: "An Act providing for the regulation and supervision of the issuance and sale of certain securities to prevent fraud in the sale thereof, and amending section 6, chapter 69, Laws of 1923, as amended by section 6, chapter 97, Laws of 1935 (being section 5853-6 of Remington's Revised Statutes as amended).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman.*

We concur in this report: C. F. Stinson, W. C. Dawson, W. R. Orndorff, Geo. A. Lovejoy.

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Insurance, to whom was referred House Bill No. 268, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*

We concur in this report: Kebel Murphy, H. I. Kyle.

On motion of Senator McDonald, the reports of the committee were received and the bill was read the third time.

Senators Orndorff, Kyle and Holt demanded the previous question.

The previous question was ordered.

President Meyers assumed the chair.

The Secretary called the roll on the final passage of House Bill No. 268, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Ferryman, Henderson, Holt, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McDonald, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Roberts, Rosellini, Shorett, Stinson and Troy—25.

Those voting nay were: Senators Atkinson, Farquharson, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Sullivan, Thomas, Todd, Voyce and Wanamaker—12.

Absent or not voting: Senators Edwards, Haddon, Keeler, McAulay, McMillan, Reardon, Roup, Schroeder and Sieler—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 204:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred House Bill No. 204, entitled: "An Act relating to the powers and duties of the board of regents of the University of Washington, and amending section 5 of (sub) chapter 1 of title

II of chapter 97 of the Session Laws of 1909, as amended by chapter 227 of the Session Laws of 1927 (Remington's Revised Statutes, section 4557; Pierce's Code, section 4759).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MARY FARQUHARSON, *Chairman.*

We concur in this report: Paul G. Thomas, Lulu D. Haddon, Kathryn E. Malstrom, James T. Sullivan, Kebel Murphy, A. M. Murfin, Alfred E. Holt, Gordon Klemgard.

On motion of Senator Farquharson, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 204, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Absent or not voting: Senators Edwards, Haddon, Keeler, Moe, Reardon and Roup—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed Substitute House Bill No. 392:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Engrossed Substitute House Bill No. 392, entitled: "An Act relating to public highways, primary state highways, secondary state highways, county roads and city streets; establishing the motor vehicle fund as a permanent fund; providing for the distribution of funds accruing to the motor vehicle fund; making appropriations from the motor vehicle fund for location, right of way, improvement, construction, reconstruction, maintenance, special maintenance, emergencies and matching funds provided under certain acts of Congress and other highway purposes for primary state highways and secondary state highways; making appropriations for counties and cities and for supervision thereof and for other expenses; amending section 60 of chapter 187, Session Laws of 1937; providing for refunds to island counties; repealing chapter 54, Session Laws of 1919, chapter 98, Session Laws of 1923, and chapter 14, Session Laws of 1925; prescribing the powers and duties of certain officers; repealing laws in conflict; and declaring an emergency and that this act shall take effect upon the first day of April, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass, as amended:

Amend section 4, line 10, pages 3 and 4 of the original engrossed substitute bill by striking the colon (:) after the word "towns" and inserting in lieu thereof a period (.) and by striking the balance of the section, the same being House amendments to section 4 of the printed substitute bill.

Amend section 28, line 28, page 13 of the original engrossed substitute bill by striking the colon (:) after the word "available" and inserting in lieu thereof a period (.) and by striking the balance of the section, the same being the House amendments to section 28 of the printed substitute bill.

Amend section 28, line 20, page 13 of the original engrossed substitute bill, being page 7, section 28, line 36 of the printed substitute bill by inserting after the word

and punctuation "law," and before the word "and" the following: "including sums to be repaid to counties composed entirely of islands."

J. P. KELLER, *Chairman*.

We concur in this report: H. I. Kyle, Joe L. Keeler, J. M. Koontz, Geo. F. McAulay, J. W. Henderson, C. F. Stinson, Clifford O. Moe, Leroy L. Todd, W. R. Orndorff, Thomas Voyce, Howard Roup, Lulu D. Haddon, Pearl A. Wanamaker, T. C. Bloomer.

Senator Keeler was ordered excused.

On motion of Senator Maxwell, the Senate resolved itself into a committee of the whole to consider Engrossed Substitute House Bill No. 392.

The bill was considered in the committee of the whole, Senator Reardon in the chair, and reported back to the Senate without recommendation.

Senator Sieler assumed the chair.

On motion of Senator Reardon, the report of the committee of the whole was adopted.

On motion of Senator Duggan, the committee amendments read in the committee of the whole were adopted.

Senator Keller moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Orndorff, Lovejoy and Keller demanded the previous question.

The Chair announced that the question before the Senate is, "Shall the demand for the previous question be sustained?"

The demand for the previous question was sustained.

President Meyers assumed the chair.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 392, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, McAulay, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Rosellini, Roup, Schroeder, Stinson, Todd, Voyce and Wanamaker—30.

Those voting nay were: Senators Farquharson, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Morgan, Percival, Reardon, Roberts, Shorett, Sieler, Sullivan, Thomas and Troy—15.

Absent or not voting: Senator Keeler—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Chair announced that the Senate would be at ease for twenty minutes.

The Senate was called to order by President Meyers.

The rules were suspended, and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 164; and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 236, and passed the bill as amended by the Senate.
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 208 and passed the bill as amended by the Senate.
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 225 and passed the bill as amended by the Senate.
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 425, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 184, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 191, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 190, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 357; also
Senate Bill No. 371; also
Senate Bill No. 408; also
Senate Bill No. 422; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 204; also Engrossed Senate Bill No. 150; also Senate Bill No. 98; also Engrossed Senate Bill No. 194; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 219 with the following amendment:

In section 1, line 11, of the engrossed substitute Senate bill, being line 9 of the printed substitute bill, after the word "after" and before the figure "1" strike the word "June" and insert in lieu thereof the word "July"; and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Drumheller, the Senate concurred in the amendment to Engrossed Substitute Senate Bill No. 219.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 219, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—38.

Absent or not voting: Senators Atkinson, Copeland, Farquharson, Keeler, Klemgard, Koontz, Reardon and Stinson—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 215 with the following amendments:

In section 1, line 1 of the engrossed bill, being line 1 of the printed bill, after the word and figure "section 1." and before the word "The" insert the following: "Amending sections 9116 and 9165 of Remington's Revised Statutes.

In section 1, line 2 of the engrossed bill, being line 2 of the printed bill, after the word "third" and before the word "class" insert the words "and fourth".

In line 1 of the title after the word "third" and before the word "class" insert the words "and fourth".

Amend the title—strike the period (.) after the word "thereof" and insert in lieu thereof a comma (,) and add the following: "and amending sections 9116 and 9165 of Remington's Revised Statutes.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Kyle, the Senate concurred in the House amendments to Engrossed Senate Bill No. 215.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 215, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Drumheller, Duggan, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—35.

Absent or not voting: Senators Atkinson, Copeland, Dawson, Edwards, Farquharson, Keeler, Klemgard, Koontz, Reardon, Schroeder and Stinson—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 374 with the following amendments:

Strike the whole of section 3 and insert in lieu thereof the following:

"Sec. 3. Whenever any county or any county and city jointly or two or more counties jointly shall have heretofore or shall hereafter establish a hospital or similar institution, * * * * for the care of the sick, injured or infirm, under the provisions of this chapter, and such hospital is, or shall hereafter be completed and ready for operation or shall have been already in operation, the board of county commissioners of the county in which such hospital or institution is located shall appoint as trustees for such hospital or institution six secular persons, two to be from each county commissioner district, and to be the persons nominated by the county commissioner elected from the respective districts. Said six trustees, together with the additional trustees, if any, and the general superintendent, hereinafter provided for, shall constitute a board of trustees for such hospital and institution with such powers and duties as are hereafter set forth. The members of the board of trustees first appointed shall be appointed for the respective terms of one, two, three, four, five and six years from and after the fifteenth day of January following their appointment, and until their successors are appointed and qualified; and thereafter their respective successors shall be appointed for terms of six years and until their successors are appointed and qualified. If the board of county commissioners is unable to determine by unanimous vote the respective terms of the first appointees, such terms shall be determined by lot. In case two or more counties have established or shall hereafter establish any such hospital jointly, the six members of the board of trustees shall be chosen as above provided from the county in which the hospital or institution is located; and each board of county commissioners of the other county or counties which contributed to the establishment of the hospital or institution shall appoint two additional members of the board of trustees. The regular term of each of the two additional members shall be six years and until their successors are appointed and qualified. Such additional members shall be residents of the respective counties from which they are appointed and shall otherwise possess the same qualifications as other trustees. The first term of office of the first appointees of any such additional members shall be fixed by the board of county commissioners of the county in which said hospital or institution is located, but shall not be for more than six years."

In section 3, as amended, strike the period (.) at the end thereof following the word "years" and insert in lieu thereof a colon (:) and add the following:

"Provided, That this section shall apply only to counties of the first class."

Amend the bill—add a new section to be known as section 4 to read as follows:

"Sec. 4. This act shall take effect January 2, 1940."

Amend the bill—add a new section to be known as section 5 to read as follows:

"Sec. 5. If any section or provision of this act be held invalid by a court of competent jurisdiction the same shall not affect the validity of the act as a whole or any part thereof other than the portion so held to be invalid."

Amend the title—after the semicolon (;) and before the word "to" insert the following:

"providing for regulation, maintenance and operation of county and for city hospitals in counties of the first class."; and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Drumheller, Senate Bill No. 374, and the House amendments thereto were referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 48 with the following amendments: Amend the bill—strike everything after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Wherever used in this act (a) 'association' means any corporation organized under this act; (b) 'members' shall include actual members of associations without capital stock and holders of common stock in associations organized with capital stock; (c) 'person' shall include individuals, firms, partnerships, corporations and associations; (d) 'cooperative basis' means that each member has one vote and only one vote; that the rate of dividends upon any capital stock is limited with a maximum not exceeding eight per cent (8%), and that net proceeds from business transacted are distributed in whole or in part to the patrons in proportion to the volume of business transacted; (e) 'net proceeds' means the total proceeds of business conducted by an association minus cost of goods sold, expense of operation (including taxes, interest on borrowed money, and depreciation) and after making provision through proper reserves and other special funds for any reasonable contingencies of the business conducted.

"Associations organized hereunder shall be deemed non-profit inasmuch as they are not organized to make profits for themselves as such or for their members as such, but only for their members as consumers.

"SEC. 2. Five (5) or more persons who are residents of or (if incorporated) whose registered office is within this state, may form an association with or without capital stock under the provisions of this act.

"SEC. 3. An association shall have the same authority, powers and capacity to act as are possessed by corporations organized under the Uniform Business Corporation Act of the State of Washington.

"SEC. 4. Each association formed under this act must prepare and file articles of incorporation setting forth:

"(a) The name of the association;

"(b) The purposes for which it is formed;

"(c) The term of existence, which may be perpetual;

"(d) The place where its principal business will be transacted, which shall be its registered office;

"(e) The number of directors thereof, which must not be less than five (5) and may be any number in excess thereof, and the terms of office of such directors. No term shall exceed three (3) years, but within said limit the terms of the several directors may be fixed and arranged from time to time by the by-laws of the association;

"(f) If organized without capital stock, whether the property rights and interests 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. 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;

"(g) If organized with capital stock, the amount thereof and the classes, if any, into which it is divided, and the number of shares authorized in each class. The capital stock may be divided into preferred and common stock, which stock may be of a fixed par value, or non-par value. If so divided, or if the stock be otherwise divided into classes, the articles of incorporation must contain a statement of the nature and extent of the preferences or rights granted to the shareholders of the respective classes;

"(h) The names and addresses of the directors who shall manage its affairs, and their terms of office;

"(i) The name and post office address of each of the incorporators and a statement of the number of shares subscribed by each, which shall not be less than one, and the class of shares for which each subscribes;

"(j) Such other provisions not inconsistent with law as the incorporators may deem proper to be therein inserted;

"(k) The articles of incorporation must be subscribed and acknowledged by the incorporators before an officer authorized by law to take and certify acknowledgments; and shall be filed in accordance with the provisions of the Uniform Business Corporation Law of this state.

"Sec. 5. The articles of incorporation may be altered or amended at any regular meeting, or at any special meeting called for that purpose. An amendment must first be approved by a majority of the directors and then adopted by a vote of two-thirds of the members voting upon such amendment, after notice of the proposed amendment shall have been given to all members entitled to vote thereon in the manner provided by the by-laws: *Provided, however,* That if the total vote in favor of the proposed amendment shall be less than twenty-five per cent (25%) of the total membership of the association, such amendment shall fail of adoption: *Provided, further,* That if the amendment is to alter the preferences or rights of outstanding shares of any class, or to authorize the issuance of shares having preferences or rights superior to outstanding shares the affirmative vote of two-thirds of the members owning the outstanding shares affected by the change shall also be required for the adoption of the amendment.

"Amendments to the articles of incorporation shall be filed in accordance with the provisions of the Uniform Business Corporation Act.

"Sec. 6. Each association incorporated under this act must, within thirty (30) days after its incorporation, adopt, for its government and management, a code of by-laws not inconsistent with the powers granted by this act nor with the articles of incorporation. These by-laws may provide:

"(a) The method and terms of admission and termination of membership, and the disposal of members' interest on cessation of membership for any reason;

"(b) The time, place and manner of calling and conducting meetings, and for voting by mail on any matter which may or shall be submitted to a vote of the membership;

"(c) The number or percentage of the members constituting a quorum;

"(d) The number, qualifications, powers, duties and terms of office of directors and officers; the division of the territory in which the association has members into districts and the elections of the directors according to such districts; the holding of primary elections by district or otherwise to select directors for the respective districts or at large;

"(e) Representation on the board of directors of regional or other cooperative associations with which the association may be affiliated through ownership of stock or other common interests; representation on the board by the State Grange of Patrons of Husbandry: *Provided,* That in no event shall more than twenty per cent (20%) of the entire membership of the board be selected by any method other than election of the qualified voting members;

"(f) The compensation, if any, of the directors, and authority of the directors to delegate powers of the board to an executive committee thereof, and to delegate authority to the officers of the association;

"(g) The basis and method of distributing the net proceeds of the business of the association;

"(h) Any other matters incidental to carrying out the purposes and activities of the association.

"By-laws may be adopted, altered or amended by the vote of two-thirds of the members voting thereon after notice of the proposal shall have been given to all members entitled to vote thereon: *Provided, however,* That if the total vote in favor of the proposed adoption, alteration or amendment shall be less than twenty-five per cent (25%) of the total membership of the association, such adoption, alteration or amendment shall not be approved.

"Sec. 7. In its by-laws each association shall provide for one or more regular meetings annually. The board of directors shall have the right to call a special meeting at any time, and ten per cent (10%) of the members may, by petition stating the specific business to be brought before the association, demand a special meeting at any time. Such meeting must thereupon be called by the directors to take place within

thirty (30) days after receipt of such demand. Notice of all meetings, together with a statement of the purpose thereof, shall be mailed to each member at least ten (10) days prior to the meeting.

"Sec. 8. No member shall be entitled to more than one vote. In associations having preferred stock or stock of different classes, the by-laws may limit the voting right to holders of the common stock or may allow voting rights to other classes of stockholders, as limited and defined in the articles of incorporation and by-laws. No member shall be permitted to vote by proxy, nor shall any voting agreement be enforceable with respect to the shares of stock or memberships of any association: *Provided*, however, That nothing herein contained shall prevent the representation of any association, firm or corporation by its duly authorized officer or agent, nor prevent the selection of directors to represent an affiliated association or organization doing business on the cooperative basis, or the State Grange of Patrons of Husbandry in accordance with the provisions of lawfully adopted by-laws.

"Sec. 9. The affairs of the association shall be managed by a board of not less than five (5) directors, the majority of whom shall be residents of the State of Washington, and not less than eighty per cent (80%) of whom shall be elected by the members from their own number. If and as the by-laws specify, directors may be named and delegated to serve upon the board by other associations or organizations doing business on a cooperative basis which are affiliated through ownership of stock or other common interests, or by the State Grange of Patrons of Husbandry, and the director or directors so appointed shall have the same powers and rights as other directors during their respective terms; but a majority of the members shall have the power at any regular or special meeting legally called to remove any director.

"When a vacancy on the board of directors occurs other than by expiration of term, the remaining members of the board by a majority vote shall fill the vacancy, unless otherwise provided for in the by-laws.

"Sec. 10. The officers of an association shall include a president, one or more vice-presidents, a secretary and a treasurer, or a secretary-treasurer. The officers shall be elected annually by the directors, unless the by-laws otherwise provide. The president and at least one vice-president must be directors, but no other officer need be a director.

"Sec. 11. No director during the term of his office shall be a party to a contract for profit with the association different in any way from the business relations accorded members generally. Other than the usual salary or directors' fees paid to any officer, director or employee of an association, and other than a reasonable fee for services rendered to such association, no officer, director or employee shall be a beneficiary of or receive, directly or indirectly, any favor, commission or other consideration for or in connection with any transaction or business of such association: *Provided*, That this shall not be construed to prohibit a director, officer or employee who may be a member of the association receiving all the ordinary and usual benefits which other members receive. Any officer, director or employee of an association who violates any of the provisions of this act shall be guilty of a gross misdemeanor.

"Sec. 12. Any member may bring charges against any officer or director by filing them in writing with the secretary of the association together with a petition signed by ten per cent (10%) of the members requesting the removal of the officer or director in question. The removal shall be voted upon at the next regular or special meeting of the association, and, by a vote of the majority of all the members, the association shall remove the officer or director and fill the vacancy. The director or officer against whom charges have been brought shall be informed in writing of the charges previous to the meeting and shall have an opportunity to be heard and represented at the meeting, and the person or persons bringing the charges against him shall have the same opportunity. In case the by-laws provide for election of directors by districts with primary elections in each district, then the petition for removal of a director must be signed by twenty per cent (20%) of the members residing in the district from which he was elected, and in such case the board of directors must call a special meeting of the members residing in that district to consider the removal of the director. By a vote of the majority of the members of that district, the director against whom charges have been made shall be removed from office.

"Sec. 13. When a member of an association established without capital stock has paid his membership fee in full he shall receive a certificate of membership. No association shall issue stock to a member until it has been fully paid for. Except for debts lawfully contracted between him and the association, no member shall be liable

for the debts of the association to an amount exceeding the sum remaining unpaid on his membership fee of his subscription to the capital stock, including any unpaid balance on any promissory note given in payment thereof.

"Sec. 14. No stockholder shall own more than one-tenth of the issued common stock of an association, and the association in its by-laws may limit the amount of common stock which any member may own to an amount less than one-tenth of the issued common stock.

"Stock may be redeemable for re-issue or retirable by the association on such terms and conditions as may be provided for by the articles of incorporation and printed on the face of the certificate.

"Sec. 15. The article and/or by-laws may prescribe terms and conditions for eligibility to membership in an association and, within said provisions, any natural person or any association or group engages in carrying on a cooperative enterprise shall be entitled to become a member upon payment in full of the minimum membership fee or stock subscription of the association.

"Sec. 16. In order that an association may at all times be controlled by and operated for the benefit of those who patronize it, the directors shall have the power from time to time to call in and redeem for re-issuance or retire the memberships and/or shares of any members who have ceased to purchase from and deal with the association during a period of time specified in the by-laws (which period shall not be less than one year), and the directors may use net proceeds of the association which may be available at the end of any business or fiscal year for that purpose.

"Sec. 17. A member may be expelled by the vote of a majority of the members at a regular or special meeting of the members by proceedings taken in the same manner as herein provided for the removal of an officer.

"Sec. 18. The directors shall apportion the net proceeds of an association annually (or more often if the by-laws so provide) in the following order:

"(1) In associations having capital stock, to the payment of dividends thereon; if there be outstanding preferred stock or stock of different classes, then such dividends shall be distributed in accordance with the priorities and rights as set forth in the articles of incorporation, and no class of stock shall receive any dividends until the dividends currently due upon all outstanding shares of stock having prior right to dividends shall have been paid: *Provided, however,* That unpaid dividends upon any class of stock shall not be cumulative beyond the year during which the net proceeds were created: *Provided, further,* That the articles may limit the maximum amount (not exceeding eight per cent (8%)) to be paid as dividends upon any and all classes of capital stock.

"(2) Not to exceed fifteen per cent (15%) of the remaining net proceeds may then be reserved by the board of directors to be used for any of the following purposes:

"(a) Calling in shares of members who have ceased to patronize the association;

"(b) Bonuses to employees at a rate not to exceed the rate of the patronage distribution hereinafter described;

"(c) General educational and welfare activities of the association, or to be carried forward as a general reserve, or to augment any reserves or special funds against contingencies of operation.

"(3) The remainder shall be allocated to all of the patrons of the association in proportion to the volume of business conducted by them with the association: *Provided, however,* That the board of directors may from time to time establish departments, units or other divisions of the business conducted by the association in accordance with by-laws authorizing such divisions, and different rates for patronage dividends may be established for each of such departments, units or businesses in accordance with the outcome of the several activities so conducted: *Provided, further,* That the board of directors may distribute patronage dividends either in cash or, in lieu thereof, may issue certificates of indebtedness subordinated to the rights of other creditors and payable at such time and upon such terms as the board in its discretion may fix, or, in case of associations having preferred stock, the said board may, in accordance with the authority granted it by the members, cause preferred stock to be issued in partial or entire settlement of patronage dividends: *And provided further,* That the by-laws may provide, or in the absence of by-laws the board of directors in its discretion may determine, whether the same or a lesser rate of patronage dividends shall be applicable to the patronage of non-members or whether the association shall do no business except with members, or upon business done with non-members any patronage dividends whatsoever shall be paid.

"In the event an association shall apportion net proceeds in any amount or at any rate to non-members, the aggregate amount so allocated may be set aside in a non-member fund in cash or as a suspense account, and distribution therefrom may be withheld until individual non-member patrons present evidence of the amount of their patronage and request payment of their proportionate share. Settlement of any non-member dividend may, at the election of the association, be by cash or otherwise, in the same manner and upon the same terms as a settlement currently made with members; and the association may, if it so elects, credit the amount of any non-member patronage dividend toward the payment of the minimum amount of a share of capital stock or membership certificate, as the case may be. If any non-member shall thus accumulate a sufficient credit to entitle him to a share of stock or to a membership, such non-member shall, if otherwise eligible under the provisions of the articles of incorporation and by-laws, become a member of the association, and if not eligible, then the said membership or stock shall be treated as the stock of a non-patronizing member and shall be called in and redeemed or retired upon the next call of stock as herein provided for.

"Any amounts remaining undistributed and unclaimed in said non-member fund after three (3) years from allocation thereof, may, in the discretion of the board of directors, be included in the reserves of the association described in sub-section two (2) of this section.

"Sec. 19. An association may organize, operate, own stock in or be a member of any other association or organization doing business on a cooperative basis, whether such association or organization is incorporated under the laws of this or any other state. Whenever an association organized hereunder with preferred stock shall purchase the stock, or any property, or any interest in any property of any person, firm, corporation or association, it may discharge the obligation so incurred wholly or in part by exchanging for the acquired interest shares of its preferred stock to an amount which, at par value, would equal a fair market value of the stock or interest so purchased, as determined by the board of directors: *Provided, however,* That the transfer to the association of the stock or interest purchased shall be equivalent to payment in cash for the shares so issued. Any association may enter into all necessary and proper contracts and agreements with other associations or organizations doing business on a cooperative basis, for the cooperative and more economical carrying on of its business or any part or parts thereof. Any two or more associations may by agreement unite in employing and using the same methods, means and agency for carrying on and conducting their respective businesses.

"Sec. 20. Any corporation or association organized under previously enacted statutes may, by a two-thirds affirmative vote of its stockholders or members voting upon the question after notice of the proposal shall have been given to all members entitled to vote thereon in the manner provided by the by-laws of such corporation or association, be brought under the provisions of this act by adopting the limitations and restrictions herein provided; such corporation or association shall thereupon cause a statement to be signed and sworn to by a majority of its directors to the effect that it has, by two-thirds affirmative vote of its stockholders or members voting on the question, decided to accept the benefits and be bound by the provisions of this act. Any amendments to the articles of incorporation of a corporation or association so bringing itself within this act and which are made as a part of said change, shall be signed and shall be acknowledged by a majority of the members of the board of directors. The filing fee shall be the same as for filing an amendment to articles of incorporation.

"Sec. 21. The provisions of the general uniform corporation laws of this state, and all powers and rights thereunder, including the provisions relative to dissolution, shall apply to associations organized hereunder, except where such provisions are in conflict with or inconsistent with the express provisions of this act.

"Sec. 22. No corporation or association organized or doing business for profit in this state entitled to use the word 'co-operative' nor the abbreviation 'co-op' or any other abbreviation of the word 'co-operative' as a part of its corporate or other business name or title unless it has complied with the provisions of this act or of the Co-operative Marketing Act of this state. Any person, firm or corporation violating the provisions of this section may be enjoined from doing business under such name at the instance of any association legally organized hereunder or under the Cooperative Marketing Act.

"Sec. 23. This act shall not apply to any cooperative marketing organization of producers, whether organized under the Cooperative Marketing Act of this state or under the laws of any other state.

"Sec. 24. For filing articles of incorporation, an association organized hereunder shall pay twenty-five dollars (\$25.00), and for filing an amendment to the articles, ten dollars (\$10.00). Each association organized hereunder shall pay an annual license fee of fifteen dollars (\$15.00) and shall be exempt from other corporate license fees.

"Sec. 25. If any section, paragraph, sentence, clause or phrase hereof shall be declared or adjudged unconstitutional, such declaration or adjudication shall not affect the validity or constitutionality of the remainder of this act.

"Sec. 26. Chapter 19 of the Laws of 1913 is hereby repealed."

Amend the title—strike all the matter after the words "An Act" and insert in lieu thereof the following: "To provide for the formation and carrying on of cooperative associations; providing for the rights, powers, liabilities and duties of the same; providing penalties for the violation thereof; and repealing chapter 19 of the Laws of 1913."; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Engrossed Senate Bill No. 48:

Senator Drumheller moved that Engrossed Senate Bill No. 48 and the House amendments thereto be re-referred to the Committee on Agriculture.

Senator Morgan moved that Engrossed Senate Bill No. 48, and the House amendments thereto be referred to the Committee on Judiciary.

The motion by Senator Morgan carried.

At 12:16 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 3:30 o'clock p. m., today.

AFTERNOON SESSION

The Senate reconvened at 3:30 o'clock p. m., President Meyers in the chair.

The rules were suspended and the Senate referred back to the second order of business for the purpose of receiving reports of standing committees.

The Secretary read:

REPORTS OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bills Nos. 109, 115, 223, 269 and 350, have compared same with the original bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: A. M. Murfin, Mary Farquharson, Monty Percival, W. C. Dawson.

Senate Chamber,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bills Nos. 101, 111, 175, 188, 225, 333, 409 and 487, have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: A. M. Murfin, Mary Farquharson, Monty Percival, W. C. Dawson.

Senate Chamber,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bills Nos. 357 and 164, have compared same with the original bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: A. M. Murfin, Mary Farquharson, Monty Percival, W. C. Dawson.

The reports were ordered received.

GENERAL FILE

Engrossed House Bill No. 172:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Engrossed House Bill No. 172, entitled: "An Act relating to intoxicating liquors; providing for the control and regulation of the traffic therein; prescribing licenses and license fees; providing for the abatement of certain nuisances; providing for certain officers and defining their powers and duties; defining crimes and providing penalties therefor; and amending chapter 62, Laws of 1933, Extraordinary Session, as amended by chapters 13, 80, 158 and 174, Laws of 1935, and chapters 62 and 217, Laws of 1937, the same being sections 7306-1 to 7306-97, both inclusive, Remington's Revised Statutes; and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend the bill on page 4, line 5 of the engrossed bill, the same being page 3, line 6 of the printed bill, by inserting therein a new section to be known as section 4 to read as follows:

"Sec. 4. No retail license of any kind shall be issued to a person who is not a citizen of the United States, except when in contravention of treaty: *Provided*, That any person who has been a resident of this state for two years and who has declared his intention of becoming a citizen of the United States shall be eligible to obtain such a license."

Renumber section 4 to read section 5 and renumber subsequent sections consecutively.

Amend the bill at page 6, line 12 of the engrossed bill, the same being page 4, line 17 of the printed bill by adding a new section therein to be known as Sec. 8 to read as follows:

"Sec. 8. That chapter 62 of the Laws of 1933, Extraordinary Session, as amended by chapters 13, 80, 158 and 174, Laws of 1935, and chapters 62 and 217, Laws of 1937, the same being sections 7306-1 to 7306-97, both inclusive, Remington's Revised Statutes, be amended by adding a new section immediately following section 27-A to be known as section 27-B, to read as follows:

"Sec. 27-B. Any person whose permit or license has been revoked or suspended, believing that the decision of the board is arbitrary, capricious, fraudulent or contrary to law, may within thirty (30) days thereafter apply to the superior court for a writ of review, which shall require the board to certify its record in the case to the court: *Provided, however*, That no injunction shall be issued against the board's order pending such court hearing, and no costs shall be taxed against the board."

Amend renumbered section 8 to read section 9 and renumber subsequent sections consecutively.

Amend renumbered section 9, page 6, line 19 of the engrossed bill, same being page 4, line 22 of the printed bill, by inserting after the word "license" and before the word "may" the words "other than retail".

Amend the bill at page 8, line 29 of the engrossed bill, the same being page 5, line 34 of the printed bill, by inserting therein a new section to be known as section 12 to read as follows:

"Sec. 12. No liquor shall be purchased by the Washington state liquor control board from any liquor importer unless the person, firm, association or corporation acting as such liquor importer has first established a principal place of business within this state and has designated a resident agent within this state upon whom service can be made."

Amend the bill at page 9, line 26 of the engrossed bill, the same being page 6, line 14 of the printed bill, by adding thereto a new section to be known as section 13 to read as follows:

"Sec. 13. That chapter 62 of the Laws of 1933, Extraordinary Session, be amended by adding thereto a new section to read as follows:

"Sec. 79-A. Beer and wine may be sold, served and consumed from the hour of twelve midnight Saturday until one A. M. Sunday under such regulations as the board may provide."

Amend the bill at page 9, line 26 of the engrossed bill, the same being page 6, line 14 of the printed bill, by adding thereto a new section to be known as section 14 to read as follows:

"Sec. 14. That section 72 of chapter 62, Laws of 1933, Extraordinary Session, as amended by section 13, chapter 174, Laws of 1935, be amended to read as follows:

"Section 72. The board shall, from time to time, make reports to the Governor covering such matters in connection with the administration and enforcement of this act as he may require, and the board shall prepare and forward to the Governor annually, to be laid before the legislature, a report for the fiscal year ending on the 30th day of September of the fiscal year with respect to which the report is made, which report shall be a public document, and contain

(a) A detailed financial statement and balance sheet showing the condition of the business and its operation during the year; such statement shall show in detail the price paid for all liquor purchased, showing the amount of each purchase and the price thereof, and shall also contain a summary showing the total amounts and kinds of liquor purchased by the board from each seller, distributor, manufacturer or distiller;

(b) A statement of the nature and amount of the business transacted by each vendor under this act during the year covered by this report;

(c) A summary of all prosecutions for infraction of this act, and the results of the same;

(d) General information and remarks as to the working of the act within the state; and

(e) Any further information requested by the governor."

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Thomas Voyce, G. B. Kerstetter, D. E. McMillan, Harold P. Troy, T. C. Bloomer, H. I. Kyle, Albert D. Rosellini, James T. Sullivan.

On motion of Senator Lovejoy, the report of the committee was received and the bill was read the third time.

Senator Lovejoy moved that the committee amendment to Engrossed House Bill No. 172, amending the bill at page 9, line 26 of the engrossed bill, the same being page 6, line 14 of the printed bill, be adopted.

Senator Mills moved the adoption of the following amendment to the committee amendment:

Strike all of Sec. 79-A in Senate amendment.

Senator Troy moved that the amendment to the committee amendment offered by Senator Mills be laid on the table.

Senators Wanamaker, Koontz, Todd, Mills, Percival, Roup, Kyle and Roberts demanded a roll call.

A roll call was ordered.

Senators Wanamaker, Shorett and Henderson demanded a call of the Senate.

The chair announced that the question before the Senate is, "Shall the demand for a call of the Senate be sustained?"

The demand was sustained, and a call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present except Senator Keeler, who was excused.

The chair announced that the question now before the Senate is on the motion by Senator Troy to lay the amendment to the committee amendment offered by Senator Mills on the table.

The Secretary called the roll and the motion by Senator Troy failed to carry by the following vote:

Those voting aye were: Senators Bloomer, Drumheller, Duggan, Edwards, Holt, Keller, Kyle, Lovejoy, Maxwell, Moe, Orndorff, Reardon, Roberts, Rosellini, Sullivan and Troy—16.

Those voting nay were: Senators Atkinson, Copeland, Dawson, Farquharson, Ferryman, Haddon, Henderson, Kerstetter, Klemgard, Koontz, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Morgan, Murfin, Murphy, Percival, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Voyce and Wanamaker—29.

Absent or not voting: Senator Keeler—1.

The chair ruled that the amendment offered by Senator Mills was out of order.

Senator Mills moved that the committee amendment be laid on the table.

The motion by Senator Mills carried.

Senator Reardon assumed the chair.

President Meyers assumed the chair.

Senator Lovejoy moved the adoption of the committee amendment to section 4.

On motion of Senator Moe, the motion by Senator Lovejoy was laid on the table.

On motion of Senator Lovejoy all committee amendments to Engrossed House Bill No. 172 were laid on the table.

Senator Reardon moved the adoption of the following amendment:

Amend line 15, page 6 of the printed bill: Amend the bill by adding thereto a new section to be known as section 10-C to read as follows:

"Sec. 10-C. That chapter 62, Laws of 1933, Extraordinary Session, as amended by chapters 13, 80, 158 and 174, Laws of 1935, and chapters 62 and 217, Laws of 1937, be amended by adding thereto a new section immediately following section 69 to be known as section 69-A to read as follows:

"Sec. 69-A. The Board may by regulation, prohibit the sale or distribution of alcoholic beverages manufactured and/or produced in states which discriminate against products of the State of Washington."

On motion of Senator Morgan the amendment offered by Senator Reardon was laid on the table.

Senator Rosellini moved the adoption of the following amendment:

Amend the bill, on page 3, line 6 of the printed bill, by inserting therein a new section to be known as Sec. 4 to read as follows:

"Sec. 4. Retail licenses shall be issued only to citizens of the United States and to any person who has been a resident of this state for two years and who has declared his intention of becoming a citizen of the United States."

Renumber Sec. 4 to read Sec. 5 and renumber subsequent sections consecutively.

On motion of Senator Bloomer the amendment was laid on the table.

Senator Holt moved the adoption of the following amendment:

Amend sub-section 33a, line 34 of the printed bill. Strike period, insert a colon, and add the following: "*Provided*, Such real property is owned in fee by the convicted person."

On motion of Senator Morgan, the amendment was laid on the table.

Senator Sullivan moved that Engrossed House Bill No. 172 be indefinitely postponed.

On motion of Senator Mills, the motion by Senator Sullivan was laid on the table.

The Chair announced that Engrossed House Bill No. 172 is now on final passage.

The Secretary called the roll on the final passage of Engrossed House Bill No. 172, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Joyce and Wanamaker—44.

Those voting nay were: Senators Morgan and Reardon—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Reardon, the call of the Senate was ordered dispensed with.

House Bill No. 260:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 16, 1939.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred House Bill No. 260, entitled: "An Act relating to intoxicating liquors and amending section 78 of chapter 62 of the Laws of 1933, Extraordinary Session, as amended by section 1, chapter 80 of the Laws of 1935, and section 2, chapter 62 of the Laws of 1937, the same being 7306-78, Remington's Revised Statutes, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

Geo. A. Lovejoy, *Chairman*.

We concur in this report: D. E. McMillan, Thomas Joyce, Harold P. Troy, Monty Percival, James T. Sullivan, W. R. Orndorff, H. I. Kyle.

On motion of Senator Lovejoy the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 260, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler,

Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—42.

Absent or not voting: Senators Atkinson, Edwards, Maxwell and Troy—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Senator Reardon moved that the rules be suspended, and that all bills passed by the Senate today on which notice of reconsideration has not been given, be immediately transmitted to the House.

The motion by Senator Reardon carried.

On motion of Senator Orndorff, the rules were suspended and the Senate referred back to the second order of business for the purpose of receiving a committee report.

REPORT OF STANDING COMMITTEE

House Bill No. 334:

A minority of the Committee on Military recommended that House Bill No. 334 do pass.

A majority of the Committee on Military referred House Bill No. 334 back to the Senate without recommendation.

The reports of the committee, together with the bill, were placed on general file.

The President signed Senate Bill No. 333, Senate Bill No. 350, Senate Bill No. 409, Senate Bill No. 487, Senate Bill No. 109, Senate Bill No. 111, Senate Bill No. 115, Senate Bill No. 175, Senate Bill No. 188, Senate Bill No. 223, Senate Bill No. 225, Senate Bill No. 269, Senate Bill No. 357, also Senate Bill No. 164.

Senators Malstrom, Kyle and Voyce demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present.

Senator Lovejoy moved that the call of the Senate be dispensed with.

The motion by Senator Lovejoy failed to carry.

On motion of Senator Malstrom, the rules were suspended and the Senate referred back to the first order of business.

MOTION

Senator Malstrom moved that House Bill No. 121 be taken from the Committee on Rules and Joint Rules, that the Committee be discharged from any further consideration of the bill, and that the bill be given an immediate place on the calendar.

Senator Duggan moved that the motion by Senator Malstrom be laid on the table.

Senators Malstrom, Kyle, Farquharson, Sullivan, Thomas, Murphy, Atkinson and Todd demanded a roll call.

A roll call was ordered.

The Secretary called the roll, and the motion by Senator Duggan carried by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Klemgard, Koontz, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson and Wanamaker—32.

Those voting nay were: Senators Atkinson, Bloomer, Farquharson, Kerstetter, Kyle, Malstrom, Morgan, Murphy, Rosellini, Sullivan, Thomas, Todd, Troy and Joyce—14.

Senator Lovejoy moved that the further call of the Senate be dispensed with.

The motion by Senator Lovejoy failed to carry.

MOTION

Engrossed House Bill No. 471:

On motion of Senator Keller, Engrossed House Bill No. 471 was made a special order of business for 9:00 o'clock p. m., today.

On motion of Senator Mills the further call of the Senate was dispensed with.

GENERAL FILE

Engrossed House Bill No. 473:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Engrossed House Bill No. 473, entitled: "An Act relating to motor vehicles, evidence of ownership, registration, licensing and identification thereof, and regulation and licensing of operators thereof; relating to certain provisions for the ownership, registration and licensing of vehicles and control of vehicle operators; prescribing the powers and duties of certain public officers; defining certain offenses; amending sections 5, 7, 17, 21, 28, 46, 47, 52, 56 and 67 of chapter 188, Session Laws of 1937; and declaring an emergency and that this act shall become effective April 1, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman.*

We concur in this report: J. M. Koontz, Geo. F. McAulay, J. W. Henderson, Lulu D. Haddon, C. F. Stinson, Clifford O. Moe, Pearl A. Wanamaker, Earl Maxwell, Leroy L. Todd, Thomas Joyce, Howard Roup, T. C. Bloomer.

On motion of Senator Keller, the report of the committee was received and the bill was read the third time.

There being no objection, Senator Ferryman was excused.

Senator Lovejoy assumed the chair.

Senators Keller, McDonald and Koontz demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present with the exception of Senators Haddon, Klemgard, Maxwell, Reardon, Ferryman and Troy.

On motion of Senator Roberts, the Senate proceeded under the call of the Senate.

Senator Sieler moved the adoption of the following amendment:

Amend section 4, lines 35 to 43, page 5, of the printed bill, same being Sec. 3, lines 5 to 16 incl., of the original bill. Strike lines 35 to 43, incl.

On motion of Senator Moe, the amendment was laid on the table.

Senator Sieler moved the adoption of the following amendment:

Amend section 4, lines 38 and 39, page 5 of the printed bill, same being Sec. 3, line 10 of the original bill. Place a colon (:) after the word "licenses" and strike the words: "and upon payment therefor of a fee of three dollars (\$3)".

On motion of Senator Keeler, the amendment was laid on the table.

On motion of Senator Sieler, the following amendment was adopted:

Amend Sec. 4, line 35, page 5 of the printed bill. Strike "that has not been licensed during the current license year" and substitute "subject to license".

Senators Drumheller, Koontz and Murphy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 473, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—40.

Those voting nay were: Senators Copeland, Dawson, Mills, Morgan and Sieler—5.

Absent or not voting: Senator Ferryman—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Reardon, the call of the Senate was ordered dispensed with.

The Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 164; and the same is herewith transmitted.
S. R. HOLCOMBE, *Chief Clerk*.

At 6:25 o'clock p. m., on motion of Senator Orndorff, the Senate recessed until 8:30 o'clock p. m., this evening.

EVENING SESSION

The Senate reconvened at 8:30 o'clock p. m., President Meyers in the chair. Senators Maxwell, Reardon and Holt demanded a call of the Senate.

A call of the Senate was ordered.

CALL OF THE SENATE

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all members being present.

On motion of Senator Maxwell, the Senate proceeded under the call of the Senate.

The rules were suspended, and the Senate referred back to the second order of business for the purpose of receiving reports of standing committees.

REPORTS OF STANDING COMMITTEES**House Bill No. 458:**

The Committee on Cities of the First Class recommended that House Bill No. 458 do pass.

The report of the committee, together with the bill, was placed on general file.

Senate Bill No. 374:

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that the Senate do not concur in the House amendments and ask the House to recede therefrom.

Senator Henderson moved that the report of the committee be adopted.

The Chair announced that the question before the Senate is on the motion of Senator Henderson that the report of the committee be adopted.

The motion by Senator Henderson carried.

Engrossed House Bill No. 450:

The Committee on Appropriations recommended that Engrossed House Bill No. 450 do pass with certain amendments.

The report of the committee, together with the bill, was placed on general file.

Engrossed Senate Bill No. 48:

The Committee on Judiciary recommended that Engrossed Senate Bill No. 48, together with the House amendments thereto, be indefinitely postponed.

On motion of Senator Duggan, the report of the committee was adopted.

MOTION

Senator Todd moved that 1000 additional copies of the Oil and Industry Investigation Report be printed.

Senator Roberts moved that action on Senator Todd's motion be deferred until the Senate has an opportunity to determine the cost of such printing.

The motion by Senator Roberts carried.

On motion of Senator Murfin, the rules were suspended and Senator Bloomer was ordered excused.

On motion of Senator Maxwell, the Senate proceeded under the call of the Senate.

Engrossed House Bill No. 471:

On motion of Senator Maxwell, Engrossed House Bill No. 471 was made a special order of business for 10:30 o'clock a. m., tomorrow.

President Meyers assumed the chair.

Engrossed House Bill No. 161:

On motion of President Meyers, the Senate granted unanimous consent to place House Bill No. 161 on the calendar for the purpose of making an amendment.

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 161, entitled: "An Act relating to the employment of aliens in public offices or upon public works, and prescribing penalties.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 12 of the Engrossed House Bill, the same being line 8 of the House amendment by Representative Reno to line 3 of the printed bill, by adding after the word "services" and before the word "of" the following: "for 1 year".

PEARL A. WANAMAKER, *Chairman.*

We concur in this report: A. M. Murfin, Leroy L. Todd, C. F. Stinson, Howard Roup, Chapin A. Mills.

On motion of Senator Wanamaker, the report of the committee was received and the bill was read the third time.

On motion of Senator Maxwell, the committee amendment was laid on the table.

On motion of Senator Maxwell, the following amendments were adopted:

Amend the bill by striking everything after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. In convening the legislature into extraordinary session, the Governor or Acting Governor shall issue his proclamation, which proclamation shall be duly attested by and filed in the office of the secretary of state. Such proclamation shall state the purposes for which the legislature is convened and the time of convening thereof, which shall be not less than five (5) days after the date of the filing of the proclamation with the secretary of state. Upon the filing of such proclamation the secretary of state shall notify each member of the legislature in writing of the call as embodied in the proclamation. At any time prior to forty-eight hours before the time fixed in the proclamation for the convening of the legislature the Governor or Acting Governor may revoke the call by filing notice of such revocation with the secretary of state, who shall immediately thereafter notify each member of the legislature by telegram of such revocation."

Amend the title by striking the whole thereof and inserting in lieu thereof the following:

"AN ACT Relating to the convening of extraordinary sessions of the legislature and the powers and duties of Governor, Acting Governor and other state officers in connection therewith."

Senators Murfin, Lovejoy and Orndorff demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 161, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson,

Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 287:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 287, entitled: "An Act authorizing the exchange of state lands for lands owned by Stevens county, State of Washington; amending section 1, chapter 86, of the Session Laws of 1937; and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. L. MORGAN, *Chairman.*

We concur in this report: Harold P. Troy, J. P. Keller, Alfred E. Holt, Mary Farquharson, Lulu D. Haddon.

On motion of Senator Morgan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 287, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 227, with the following amendments:

In section 1, line 10 of the engrossed bill, being line 3, of the printed bill, strike the words and figures "one-quarter ($\frac{1}{4}$)" and insert in lieu thereof the words and figures "one-eighth ($\frac{1}{8}$)".

In section 2, line 24 of the engrossed bill, being lines 13 and 14 of the printed bill, strike the words and figures "one-quarter ($\frac{1}{4}$)" and insert in lieu thereof the words and figures "one-eighth ($\frac{1}{8}$)"; and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Orndorff moved that the Senate do concur in the House amendments.

Senators Voyce, Bloomer and Kerstetter demanded the previous question. The previous question was ordered.

Senators Wanamaker, Todd, Dawson, Moe, Kyle, Maxwell, Duggan and Voyce demanded a roll call.

A roll call was ordered.

The Secretary called the roll, and the motion by Senator Orndorff failed to carry by the following vote:

Those voting aye were: Senators Copeland, Holt, Keller, Klemgard, Koontz, Lovejoy, McAulay, McDonald, Metcalf, Mills, Murfin, Murphy, Roberts, Roup, Sieler and Stinson—16.

Those voting nay were: Senators Atkinson, Bloomer, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Kyle, Malstrom, Maxwell, McMillan, Moe, Morgan, Orndorff, Percival, Reardon, Rosellini, Schroeder, Shorett, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—29.

Absent or not voting: Senator Drumheller—1.

Senator Maxwell moved that the Senate do not concur, and ask the House to recede from the House amendments.

The motion by Senator Maxwell carried.

House Bill No. 68:

Senator Reardon moved the adoption of the committee amendment.

Senator Kerstetter moved that House Bill No. 68 be made a special order of business for 11:00 o'clock p. m., tonight.

Senator Bloomer moved to amend the motion of Senator Kerstetter, that House Bill No. 68 be made a special order of business for 11:30 o'clock a. m., tomorrow.

The motion by Senator Bloomer carried.

MOTION

On motion of Senator Maxwell, it was ordered that all bills passed by the Senate between now and tomorrow noon, on which notice of reconsideration has not been given, be immediately transmitted to the House.

GENERAL FILE

Engrossed House Bill No. 78:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 2, 1939.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Engrossed House Bill No. 78, entitled: "An Act providing educational opportunities for the children of soldiers, sailors and marines who were killed in action or died during the World War

or as a result of such service, and making an appropriation therefor.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

LULU D. HADDON, *Chairman.*

We concur in this report: Pearl A. Wanamaker, K. W. Reardon, Kathryn E. Malstrom.

On motion of Senator Ferryman, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 78.

The bill was considered in the committee of the whole, Senator Orndorff in the chair, and reported back to the Senate with the recommendation that it do pass.

Senator Maxwell assumed the chair.

On motion of Senator Orndorff, the report of the committee of the whole was adopted.

Senator Lovejoy moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Keller, Orndorff and Reardon demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 78, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Re-Engrossed House Bill No. 80:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Re-Engrossed House Bill No. 80, entitled: "An Act relating to revenue and taxation and the powers and duties of public officers in connection therewith, the filing of plats, the taxation of private motor vehicles, reforestation lands, utility property, private car companies, express companies and of property generally in the state, amending sections 2 and 5, chapter 228, Laws of 1937; section 1, chapter 186, Laws of 1937; section 1, chapter 15, Laws of 1931; section 1, chapter 127, Laws of 1935; sections 6 and 12, chapter 280, Laws of 1927; section 1, chapter 19, Laws Extraordinary Session 1933; section 2, chapter 104, Laws of 1933; section 1, chapter 48, Laws of 1933; sections 10, 12, 13, 14, 22, 52, 57, 58, 64, 68, 70, 72, 73, 81 and 105, Laws Extraordinary Session 1925; sections 7, 13 and 14, chapter 123, Laws of 1935; sections 7, 10, 11 and 13, chapter 146, Laws of 1933; sections 2, 3, 4, 5, 6, 7 and 8, chapter 54, Laws of 1907; sections 10 and 11, chapter 40, Laws of 1931; section 1, chapter 56, Laws of 1937; section 2, chapter 121, Laws of 1937; section 1, chapter 70, Laws of 1929; section 1, chapter 20, Laws of 1937; section 2, chapter 171; Laws of 1933; section 7, chapter 30, Laws of 1935; section 1,

chapter 118, Laws of 1937, and sections 6 and 7, chapter 62, Laws of 1931, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend Sec. 4, page 4, line 5, of the re-engrossed bill, the same being Sec. 4, page 3, line 3, of the printed bill, after the word "administration" and before the word "of", strike the words "or interpretation".

Amend Sec. 16, page 20, line 24, of the re-engrossed bill, the same being Sec. 16, page 11, line 37, of the printed bill, after the word "each" and before the word "year" strike the words "even numbered".

A. M. MURFIN, *Chairman*.

We concur in this report: Alfred E. Holt, W. R. Orndorff, Kebel Murphy, Harold P. Troy, Pearl A. Wanamaker, F. L. Morgan, James T. Sullivan.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

President Meyers assumed the chair.

On motion of Senator Murfin, the committee amendments were adopted.

On motion of Senator Murfin, the following amendment was adopted:

Amend Sec. 6, line 1, page 6 of printed bill, same being line 1, page 11 of the original bill. Strike the period (.) after the word "commission" in the House amendment, insert a semi-colon (;) and the words: " * * * * ; and in like manner any county assessor may appeal to the commission from any action of any county or township board of equalization."

Senator Holt moved the adoption of the following amendment:

Amend section 44, line 14 of the printed bill. Strike the word "amended" and substitute the word "repealed", add a period and strike balance of Sec. 44.

On motion of Senator Reardon, the amendment was laid on the table.

Senator Sieler moved the adoption of the following amendment:

Amend section 47, line 43, page 26 of the printed bill, after word "but" in line 43, strike balance of sentence and insert the following: "in all other cases * * * * where it appears from the record that a certificate of delinquency and application for foreclosure have been filed, recorded and indexed as required by section 117 (section 11278 of Remington's Revised Statutes of Washington), the court shall enter an order of default against the defendants who have not appeared in the action, which order of default must be filed with the clerk and the entry thereof recorded in the journal and noted in the appearance docket for a period of at least ten (10) days before final judgment is rendered."

On motion of Senator Keeler, the amendment was laid on the table.

On motion of Senator Murfin, the following amendments to the title were adopted:

Amend the title by striking from the 11th line thereof as it appears in the original bill, being the 7th line thereof as it appears in the printed bill, the following: "section 2, chapter 104, Laws of 1933;"

Further amend the title by striking the comma (,) after the figures "1931" and before the word "and" in the next to last line thereof as it appears in the original bill, being the 14th line thereof as it appears in the printed bill, and inserting in lieu thereof a semicolon (;) and the following words: "repealing chapter 104, Laws of 1933."

Senators Reardon, Murfin and Lovejoy demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Re-Engrossed House Bill No. 80, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumbheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Mur-

fin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the Senate referred back to the fifth order of business for the purpose of receiving a message from the House.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 109; also Senate Bill No. 111; also Senate Bill No. 115; also Senate Bill No. 175; also Senate Bill No. 188; also Senate Bill No. 223; also Senate Bill No. 225; also Senate Bill No. 269; also Senate Bill No. 333; also Senate Bill No. 350; also Senate Bill No. 357; also Senate Bill No. 409; also Senate Bill No. 487; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

GENERAL FILE

House Bill No. 259:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 1, 1939.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House Bill No. 259, entitled: "An Act imposing an excise tax on gasoline and other inflammable liquids, and providing for the payment, collection and lien of the tax; amending sections 1, 5 and 17 of chapter 58, Laws of 1933 (sections 8327-1, 8327-5, 8327-17, Remington's Revised Statutes); defining distribution; redefining distributors, providing for ex-tax sales between distributors; providing for evaporation and handling losses, and enacting a new section relating to tax payments, reports, penalties and remedies applicable to persons other than distributors.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman.*

We concur in this report: T. C. Bloomer, W. R. Orndorff, Joe L. Keeler, J. M. Kootz, Clifford O. Moe, Herbert H. Sieler, Thos. Voyce, J. W. Henderson, H. I. Kyle, Lulu D. Haddon, Howard Roup, Pearl A. Wanamaker, C. F. Stinson, Geo. F. McAulay, Earl Maxwell.

On motion of Senator Keller, the report of the committee was received and the bill was read the third time.

Senator Reardon assumed the chair.

Senators Orndorff, Lovejoy and Drumheller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 259, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wana-maker—46.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 535:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred House Bill No. 535, entitled: "An Act relating to public service companies; providing for additional supervision and regulation thereof and for the payment by said public service companies of the costs of certain investigations, valuations and appraisals and services made and rendered by the department of public service; and repealing section 12 of chapter 165 of the Laws of 1933; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with recommendation that it do pass as amended:

Amend Sec. 2, page 2, lines 5 and 6 of the original bill, the same being Sec. 2, page 1, line 24 of the printed bill by striking the words and figures "one per cent (1%)", and inserting in lieu thereof the following: "one-half of one per cent (½ of 1%)".

Amend Sec. 2 of the bill by adding at the end of Sec. 2 a new sub-section to be known as sub-section (f) reading as follows: "(f) This act shall expire March 1, 1941."

Amend Sec. 2, page 2, lines 19 and 20 of the original bill, the same being Sec. 2, page 2, line 10 of the printed bill by striking the following sentence: "The civil actions herein provided for shall be tried to the court without a jury."

JOSEPH DRUMHELLER, *Chairman.*

We concur in this report: A. M. Murfin, Joe L. Keeler, T. C. Bloomer, W. C. Dawson, John H. Ferryman, Fred S. Duggan, Ralph Metcalf, Howard Roup, Paul G. Thomas.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

Senator Drumheller moved the adoption of the committee amendment to Sec. 2, page 2, lines 5 and 6 of the original bill, the same being Sec. 2, page 1, line 24 of the printed bill.

On motion of Senator Sullivan, the amendment was laid on the table.

On motion of Senator Drumheller, the committee amendment to Sec. 2 of the bill by adding at the end of Sec. 2 a new subsection (F) was adopted.

On motion of Senator Drumheller, the committee amendment amending Sec. 2, page 2, lines 19 and 20 of the original bill, same being Sec. 2, page 2, line 10 of the printed bill, was adopted.

The Secretary called the roll on the final passage of House Bill No. 535, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Holt, Keeler, Keller, Kerstetter, Klemgard,

Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—36.

Those voting nay were: Senators Bloomer, Copeland, Dawson, Henderson, McAulay, Metcalf, Mills, Roup and Sieler—9.

Absent or not voting: Senator Shorett—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 271:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Corporations Other Than Municipal, to whom was referred House Bill No. 271, entitled: "An Act relating to corporations; amending sections 5, 8, 18, 21, 31, 38, 41, 47, 49 and 59 of chapter 185 of the Laws of 1933; adding new sections to chapter 185 of the Laws of 1933 to be numbered 21½, 32½, 40½ and 59½; and repealing certain acts and parts of acts in relation thereto.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ALBERT D. ROSELLINI, *Chairman.*

We concur in this report: H. I. Kyle, Thomas Voyce, Alfred E. Holt, J. W. Henderson.

On motion of Senator Rosellini the report was received and the bill was read the third time.

Senator Rosellini demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 271, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—44.

Those voting nay were: Senator Murphy—1.

Absent or not voting: Senator Atkinson—1.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Orndorff assumed the Chair.

House Bill No. 231:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred House Bill No. 231, entitled: "An Act relating to wildlife and game; assenting to the purposes

and provisions of that certain act of Congress entitled: "An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937, and empowering and directing the state department of game to establish and conduct wildlife-restoration projects; and providing that no funds accruing to the State of Washington from hunting license fees shall be diverted for any other purpose than the protection, propagation and restoration of wildlife and game and the expenses of administration of the state department of game.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. F. McAULAY, *Chairman*.

We concur in this report: Robert T. McDonald, Ted Schroeder, J. M. Koontz, Clifford O. Moe, Gordon Klemgard.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 231, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—41.

Those voting nay were: Senators Farquharson and Kerstetter—2.

Absent or not voting: Senators Maxwell, Reardon and Shorett—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 322:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 28, 1939.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred House Bill No. 322, entitled: "An Act with reference to trust receipts and pledges of personal property unaccompanied by possession in the pledgee and to make uniform the law with reference thereto.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. F. McAULAY, *Chairman*.

We concur in this report: Robert T. McDonald, Kathryn E. Malstrom, Thomas Voyce, Joseph D. Roberts, Geo. A. Lovejoy, Henry J. Copeland.

On motion of Senator McAulay, the report of the committee was received and the bill was read the third time.

Senator Morgan moved that House Bill No. 322 be indefinitely postponed.

Senator McDonald moved that the motion by Senator Morgan be laid on the table.

The motion by Senator McDonald failed to carry.

The Chair announced that the question now before the Senate is the motion by Senator Morgan, that House Bill No. 322 be indefinitely postponed.

The motion to indefinitely postpone failed to carry.

Senators Keeler, Duggan and Maxwell demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 322, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Edwards, Haddon, Lovejoy, Maxwell, McAulay, McDonald, Metcalf, Mills, Murfin, Roberts, Schroeder, Thomas, Troy, Voyce and Wanamaker—17.

Those voting nay were: Senators Atkinson, Drumheller, Duggan, Farquharson, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, McMillan, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Sieler, Stinson, Sullivan and Todd—26.

Absent or not voting: Senators Bloomer, Malstrom and Shorett—3.

House Bill No. 322, having failed to receive the constitutional majority, was declared lost.

Senator Sieler gave notice that at the proper time tonight he would move to reconsider the vote by which House Bill No. 322 failed to pass the Senate.

MOTION FOR RECONSIDERATION

Senator Kyle moved to reconsider the vote by which House Bill No. 322 failed to pass the Senate.

The Chair announced that the question before the Senate is on the motion of Senator Kyle.

The Secretary called the roll on the motion of Senator Kyle that the Senate reconsider the vote by which House Bill No. 322 failed to pass the Senate, and the motion failed to carry by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Edwards, Keeler, Klemgard, Lovejoy, Maxwell, McAulay, McDonald, Metcalf, Mills, Murfin, Roberts, Schroeder, Shorett, Sieler, Sullivan, Thomas, Troy, Voyce and Wanamaker—22.

Those voting nay were: Senators Atkinson, Drumheller, Duggan, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Malstrom, McMillan, Moe, Morgan, Murphy, Orndorff, Percival, Reardon, Rosellini, Roup, Stinson and Todd—24.

The Chair announced that the motion by Senator Kyle, to reconsider the vote by which House Bill No. 322 failed to pass the Senate, having failed to receive the constitutional majority, was declared lost.

The rules were suspended and the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 282, and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Substitute House Bill No. 156, and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 221, and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 94, and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

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MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 128, and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Joint Resolution No. 13, and passed the Resolution as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has receded from its amendments to Engrossed Senate Bill No. 226 and passed the bill without House amendments, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senate Bill No. 406:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to House Bill No. 406, and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Maxwell moved that the Senate do not recede from the Senate amendments to House Bill No. 406, and that the House be asked for a conference thereon.

The Chair announced that the question before the Senate is that the Senate do not recede from the Senate amendments and that the House be asked for a conference thereon.

Senator Drumheller moved that the Senate do recede from the Senate amendments to House Bill No. 406.

The Chair announced that the question before the Senate is on the motion by Senator Drumheller that the Senate do recede from Senate amendments to House Bill No. 406.

Senator Bloomer moved that the motion by Senator Drumheller be laid on the table.

Senators Maxwell, Drumheller, Roup, Mills, Keeler, Bloomer, McMillan and Wanamaker demanded a roll call.

A roll call was ordered.

The Chair announced that the question before the Senate is on the motion by Senator Drumheller that the Senate do recede from the Senate amendments to House Bill No. 406.

President Meyers assumed the chair.

The Secretary called the roll on the motion by Senator Drumheller, that the Senate do recede from the Senate amendments to House Bill No. 406, and the motion carried by the following vote:

Those voting aye were: Senators Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Maxwell, McDonald, McMillan, Moe, Murphy, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Thomas, Todd, Troy, Voyce and Wanamaker—29.

Those voting nay were: Senators Atkinson, Bloomer, Copeland, Dawson, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, Metcalf, Mills, Morgan, Murfin, Rosellini, Sieler, Stinson and Sullivan—17.

The President announced that the question now before the Senate is the final passage of House Bill No. 406, without amendment.

Senators Maxwell, Orndorff and Keeler demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 406, and it passed the Senate by the following vote.

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, McMillan, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Roup, Schroeder, Shorett, Stinson, Thomas, Todd, Troy, Voyce and Wanamaker—39.

Those voting nay were: Senators Dawson, McAulay, Metcalf, Mills and Sieler—5.

Absent or not voting: Senators Murphy and Sullivan—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Re-Engrossed House Bill No. 80, and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 382, and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 473, and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has receded from its amendments to Engrossed Senate Bill No. 227, and passed the bill without House amendments, and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 213, with the following amendments:

In section 1, line 3 of the engrossed bill, being line 3 of the printed bill, after the word "less" and before the word "without", insert the following words: "and charge, contract for, or receive on any such loan a greater rate of interest, discount or consideration therefor than the lender would be permitted by law to charge if he were not a licensee hereunder, except as authorized by this act and".

In section 2, page 1, line 22 of the engrossed bill, being line 16 of the printed bill, after the letter "(e)" strike all of the matter down to and including the letter "(f)" in section 2, page 2, line 1 of the engrossed bill, being page 1, line 18 of the printed bill.

In section 3, line 9 of the engrossed bill, being page 1, line 23, of the printed bill, after the period (.) following the word "year" add the following: "Upon compliance with the foregoing provisions and payment of said fees the director shall issue such license to the applicant.

"Not more than one place of business shall be maintained under the same license, but the director may issue more than one license to the same licensee upon compliance with all of the provisions of this act governing the original issuance of a license, for each such new license."

In section 4, line 13, of the engrossed bill, being line 6 of the printed bill, strike the whole of subsections (1), (2), (3) and (4) and insert in lieu thereof the following:

"1. To use fraud or misrepresentation in the solicitation, transaction, or advertisement of the business of making small loans;

"2. To knowingly solicit, or make loans to minors."

Amend the bill by adding thereto two new sections immediately following section 5, to be known as sections 5A and 5B to read as follows:

"Sec. 5A. Every licensee hereunder may lend any sum of money not to exceed Three Hundred Dollars (\$300) in amount and may contract for, and receive thereon, charges at a rate not exceeding three per cent (3%) per month: *Provided, however*, That said three per cent (3%) shall include in the aggregate all fees, charges, bonus, interest, expense, demands, or exactions of any nature whatsoever. No licensee shall charge or receive of the borrower or any other person on his or their behalf a greater rate of charge than three per cent (3%) per month. Such charges shall not be payable in advance and shall be computed on unpaid balances only.

"Sec. 5B. A licensee may make a maximum charge of One Dollar (\$1.00) on loans made hereunder where the charges herein allowed amount to less: *Provided*, That such charge of One Dollar (\$1.00) shall not be collected on more than one loan of any one borrower during any thirty (30) day period."

In section 6, line 19, of the engrossed bill, being line 31 of the printed bill, after the word "provisions" and before the word "of" insert the following words and figures: "of sections 1, 2, 4, 5A and 5B."

Amend the bill—strike the whole of section 7 and insert in lieu thereof the following:

"Sec. 7. Nothing in this act shall be construed or held to limit the rights, powers or privileges granted to any person, copartnership, association or corporation by any law of this state or the United States whereby the loaning of money or extending of credit is regulated: *Provided*, That any such person, copartnership, association, or corporation is operating in compliance with the provisions of such law."

Amend the bill by adding thereto a new section to be known as section 10 to read as follows:

"SEC. 10. All acts, and parts of acts, which relate to the same subject matter as this act, so far as they are inconsistent with the provisions of this act, are hereby repealed."

Amend the bill by adding thereto a new section to be known as section 11, to read as follows:

"SEC. 11. This act, unless sooner repealed, shall be in effect for a period of two years following its effective date."

In line 3 of the title of the engrossed bill, being line 2 of the title of the printed bill, after the word "business" and before the word "providing" strike the semicolon (;) and insert in lieu thereof the following: "authorizing such licensees to make charges at a greater rate than unlicensed lenders; prescribing maximum rates of charge which licensees are permitted to make;".

In line 7 of the title of the engrossed bill, being line 3 of the Senate amendment, strike the word "and", and insert in lieu thereof a semicolon (;).

In line 7 of the title of the engrossed bill, being line 4 of the Senate amendment, strike the period (.) after the word "penalties" and insert in lieu thereof a semicolon (;) and add the following: "exempting from the provisions of this act certain persons otherwise regulated, and repealing all acts and parts of acts which relate to the same subject matter as this act, so far as they are inconsistent with the provisions of this act." and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Drumheller moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 213, and that the House be requested to recede therefrom.

Senator Sieler moved as a substitute motion that the Senate do concur in the House amendments to Engrossed Senate Bill No. 213.

Senator Maxwell moved that the House amendments to Engrossed Senate Bill No. 213 be considered by the Senate in toto.

The Chair announced that the question before the Senate is on the motion of Senator Maxwell that the House amendments to Engrossed Senate Bill No. 213 be considered in toto.

The motion by Senator Maxwell carried.

Senator Kyle moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 213.

Senator Wanamaker moved that the Senate do concur in the House amendments to Engrossed Senate Bill No. 213.

Senators Orndorff, Kyle and Keller demanded the previous question.

The previous question was ordered.

The Chair announced that the question before the Senate is on the motion of Senator Wanamaker that the Senate do concur in the House amendments.

The Secretary called the roll and the motion by Senator Wanamaker that the Senate do concur in the House amendments failed to carry by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Edwards, Haddon, Henderson, Kerstetter, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Morgan, Murphy, Percival, Roberts, Schroeder, Shorett, Sieler, Voyce and Wanamaker—22.

Those voting nay were: Senators Bloomer, Drumheller, Duggan, Farquharson, Ferryman, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Metcalf, Mills, Moe, Murfin, Orndorff, Reardon, Rosellini, Roup, Stinson, Sullivan, Thomas, Todd and Troy—24.

On motion of Senator Reardon, the Senate refused to concur in the House amendments to Engrossed Senate Bill No. 213, and asked the House to recede therefrom.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has refused to recede from its amendments to Senate Bill No. 374, and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk.*

Senator Reardon assumed the chair.

On motion of Senator Lovejoy, a conference was granted on Senate Bill No. 374 and House amendments thereto.

MOTION

Senator Drumheller moved that the rules be suspended and that the Senate now take up consideration of Engrossed House Bill No. 450.

The motion by Senator Drumheller carried.

GENERAL FILE

Engrossed House Bill No. 450:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 450, entitled: "An Act making appropriations for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices, for the purchase and improvement of land, the construction of buildings and improvements for the various state institutions designated and mentioned, and for emergencies, and for re-funds, and for sundry civil expenses of the state government, and for public assistance, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend Sec. 2, page 3, after line 4 of the original bill, the same being Sec. 2, page 2, after line 24 of the printed bill, by inserting the following:

"Salary for Collection of Delinquent Corporation Taxes and Fees. . . . \$8,000.00"

Amend Sec. 2, page 3, line 15 of the original bill, the same being Sec. 2, page 2, line 32 of the printed bill, by striking the figure "\$10,000.00" and insert in lieu thereof "\$15,000.00".

Amend Sec. 2, page 3, line 16 of the original bill, the same being Sec. 2, page 2, line 33 of the printed bill, by striking the figure "\$155,000.00" and insert in lieu thereof "\$168,000.00".

Amend Sec. 2, page 3, line 18 of the original bill, the same being Sec. 2, page 2, line 35 of the printed bill, by striking the figure "\$68,000.00" and insert in lieu thereof "\$70,000.00".

Amend Sec. 2, page 3, line 21 of the original bill, the same being Sec. 2, page 2, line 38 of the printed bill, by striking the figure "\$92,000.00" and insert in lieu thereof "\$94,000.00".

Amend Sec. 2, page 3, line 23 of the original bill, the same being Sec. 2, page 2, line 40 of the printed bill, by striking the figure "\$25,000.00" and insert in lieu thereof "\$27,000.00".

Amend Sec. 2, page 3, line 25 of the original bill, the same being Sec. 2, page 2, line 42 of the printed bill, by striking the figure "\$30,750.00" and insert in lieu thereof "\$32,750.00".

Amend Sec. 2, page 4, line 1 of the original bill, the same being Sec. 2, page 3, line 5 of the printed bill, by striking the figure "\$68,000.00" and insert in lieu thereof "\$70,000.00".

Amend Sec. 2, page 4, line 7 of the original bill, the same being Sec. 2, page 3, line 11 of the printed bill, by striking the figure "\$126,000.00" and insert in lieu thereof "\$128,000.00".

Amend Sec. 2, page 4, line 9 of the original bill, the same being Sec. 2, page 3, line 13 of the printed bill, by striking the figure "\$22,000.00" and insert in lieu thereof "\$23,000.00".

Amend Sec. 2, page 4, line 14 of the original bill, the same being Sec. 2, page 3, line 18 of the printed bill, by striking the figure "\$43,480.00" and insert in lieu thereof "\$44,480.00".

Amend Sec. 2, page 4, line 21 of the original bill, the same being Sec. 2, page 3, line 25 of the printed bill, by striking the figures "\$90,000.00" and insert in lieu thereof "\$95,000.00".

Amend Sec. 2, page 4, line 25 of the original bill, the same being Sec. 2, page 3, line 28 of the printed bill, by striking the figure "\$40,000.00" and insert in lieu thereof "\$35,000.00".

Amend Sec. 2, page 5, after line 14 of the original bill, the same being Sec. 2, page 4, after line 4 of the printed bill, by adding the following:

"For Legislative Expense:

Printing, indexing, binding and editing Session Laws, Senate and House Journals, other legislative printing, and binding public documents of the Twenty-sixth Session.	\$20,000.00	
Indexing Senate and House Journals.....	1,000.00	
Total		\$21,000.00"

Amend Sec. 2, page 6, after line 5 of the original bill, the same being Sec. 2, page 4, after line 26 of the printed bill, by adding the following:

"For the State Athletic Commission:

Salaries and wages.....	\$6,300.00	
Operations	3,500.00	
		\$9,800.00"

Amend Sec. 2, page 9, line 26 of the original bill, the same being Sec. 2, page 7, line 3 of the printed bill, by striking the figure "\$88,000.00" and insert in lieu thereof "\$92,000.00".

Amend Sec. 2, page 9, line 27 of the original bill, the same being Sec. 2, page 7, line 4 of the printed bill, by striking the figure "\$32,000.00" and insert in lieu thereof "\$34,000.00".

Amend Sec. 2, page 10, line 10 of the original bill, the same being Sec. 2, page 7, line 16 of the printed bill, by striking the figure "\$362,500.00" and insert in lieu thereof "\$368,500.00".

Amend Sec. 2, page 11, after line 22 of the original bill, the same being Sec. 2, page 8, after line 10 of the printed bill, by adding the following:

"For Improvement and Protection of Oyster Reserves:

Salaries, Wages and Operations.....	\$10,000.00"
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Amend Sec. 2, page 11, line 26 of the original bill, the same being Sec. 2, page 8, line 13 of the printed bill, by striking the figure "\$440,000.00" and insert in lieu thereof "\$450,000.00".

Amend Sec. 2, page 13, after line 11 of the original bill, the same being Sec. 2, page 9, line 11 of the printed bill, by striking the figure "\$290,000.00" and insert in lieu thereof "\$255,000.00".

Amend Sec. 2, page 13, line 11 of the original bill, the same being Sec. 2, page 9, after line 11 of the printed bill, by adding the following:

"For Auditing in Conjunction with Fuel Oil and Gas Tax Collections.... \$35,000.00"

Amend Sec. 2, page 14, lines 3 to 8 of the original bill, the same being Sec. 2, page 9, lines 33 to 35 of the printed bill, by inserting a parenthesis after the word "collected" and striking the balance of the sentence through the word "Treasury".

Amend Sec. 2, page 14, lines 16 to 31 of the original bill, the same being Sec. 2, page 9, lines 43 and 44 and page 10, lines 1 to 14 of the printed bill, by striking the whole thereof and insert in lieu thereof the following:

"Salaries, Wages, Operations and Assistance as Provided by Law, *Provided*, That expenditures for salaries, wages and operations shall not exceed five per cent

(5%) of the total amount expended for old age assistance	\$24,000,000.00	
Division of Public Assistance:		
Salaries and Wages.....	248,000.00	
Operations	289,800.00	
Assistance as Provided by Law.....	5,750,000.00	
Division for Children:		
Salaries and Wages.....	495,000.00	
Operations	150,900.00	
Assistance as Provided by Law.....	2,552,779.00	
Division for the Blind:		
Salaries and Wages.....	50,000.00	
Operations	41,450.00	
Assistance as Provided by Law.....	482,580.00	
Sub-total	\$34,909,409.00	
Expenditures from the following appropriations to be limited to amounts received or to be received from the Federal Government, and credited to the General Fund under the respective categories of assistance:		
Assistance as Provided by Law:		
Division of Public Assistance.....	\$2,000,000.00	
Division for Children.....	2,100,000.00	
Division for the Blind.....	370,000.00	
Sub-total	\$4,470,000.00	
Total Department of Social Security.....		\$39,379,409.00"
Amend Sec. 2, page 15, after line 4 of the original bill, the same being Sec. 2, page 10, after line 18 of the printed bill, by inserting the following:		
"For Installation and Maintenance of a Teletype System	\$65,000.00"	
Amend Sec. 2, page 15, line 5 of the original bill, the same being Sec. 2, page 10, line 19 of the printed bill, by striking the figure "\$1,695,610.00" and insert in lieu thereof "\$1,760,610.00".		
Amend Sec. 2, page 17, lines 28, 29, 30 and 31, page 18, lines 1 to 6 of the original bill, the same being Sec. 2, page 12, lines 17 to 26 of the printed bill, by striking the whole thereof and insert in lieu thereof the following:		
"Salaries, Wages and Old Age Annuities.....	\$4,036,416.00	
Operations	992,038.00	
Total		\$5,028,454.00

FROM THE WASHINGTON STATE COLLEGE FUND

For the State College of Washington:		
Salaries and Wages.....	\$1,591,397.18	
Old Age Annuities, as provided by Chapter 223, Laws of 1937	76,000.00	
Operations	715,884.82	
Total		\$2,383,282.00"
Amend Sec. 2, page 18, line 22 of the original bill, the same being Sec. 2, page 12, line 38 of the printed bill, by striking the figure "\$359,934.50" and insert in lieu thereof "\$389,934.50".		
Amend Sec. 2, page 18, line 26 of the original bill, the same being Sec. 2, page 12, line 42 of the printed bill, by striking the figure "\$78,587.50" and insert in lieu thereof "\$108,587.50".		
Amend Sec. 2, page 22, after line 18 of the original bill, the same being Sec. 2, page 14, after line 43 of the printed bill, by inserting the following:		

"FROM THE UNIVERSITY OF WASHINGTON FUND

For the University of Washington:"		
Amend Sec. 2, page 22, line 25 of the original bill, the same being Sec. 2, page 15, line 4 of the printed bill, by striking the figure "\$660,000.00" and insert in lieu thereof "\$500,000.00".		

Amend Sec. 2, page 23, line 19 of the original bill, the same being Sec. 2, page 15, line 22 of the printed bill, by striking the figure "\$5,580,138.00" and insert in lieu thereof "\$5,420,138.00".

Amend Sec. 2, page 24, line 4 of the original bill, the same being Sec. 2, page 15, line 34 of the printed bill, by striking the figure "\$4,500,000.00" and insert in lieu thereof "\$2,500,000.00".

Amend Sec. 2, page 24, line 18 of the original bill, the same being Sec. 2, page 16, line 1 of the printed bill, by adding the following: "(including Deficiencies)".

Amend Sec. 2, page 27, line 26 of the original bill, the same being Sec. 2, page 17, line 42 of the printed bill, by striking the figure "\$7,500.00" and insert in lieu thereof "\$8,500.00".

JUDSON W. SHORETT, *Chairman*.

We concur in this report: Robert T. McDonald, D. E. McMillan, Kathryn E. Malstrom, A. E. Edwards, Alfred E. Holt, Gordon Klemgard, Henry J. Copeland, G. B. Kerstetter, Paul G. Thomas, John H. Ferryman, Howard Roup, Chapin A. Mills.

On motion of Senator Ferryman, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 450.

The bill was considered in the committee of the whole, Senator Duggan in the chair, and reported back to the Senate with the recommendation that it do pass, as amended.

On motion of Senator Duggan, the report of the committee of the whole was adopted.

President Meyers assumed the chair.

On motion of Senator Lovejoy, the committee amendments read in the committee of the whole were adopted.

Senator Lovejoy moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

Senators Orndorff, Drumheller and Maxwell demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 450, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Murphy, Orndorff, Percival, Roberts, Roup, Schroeder, Shorett, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—35.

Those voting nay were: Senators Dawson, Drumheller, Farquharson, Kyle, Mills, Morgan, Murfin, Reardon, Rosellini, Sieler and Todd—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the Senate dispensed with further proceedings under the call of the Senate.

At 11:59 o'clock p. m., Senator Orndorff moved that the Senate adjourn until Thursday, March 9th, 1939, at 11:30 o'clock a. m.

Senator Sieler moved to amend the motion by Senator Orndorff to read 10:30 o'clock a. m.

On motion of Senator Bloomer, the motion by Senator Sieler was ordered laid on the table.

Senator Reardon moved that the Senate do now adjourn.

The Chair announced that the question before the Senate is on the motion of Senator Orndorff that the Senate do now adjourn until Thursday, March 9th, 1939, at 11:30 o'clock a. m.

The motion by Senator Orndorff carried, and the Senate adjourned until Thursday, March 9th, 1939, at 11:30 o'clock a. m.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

SIXTIETH DAY

MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, March 9, 1939.

The Senate was called to order at 11:30 o'clock a. m., by President Pro Tempore Reardon.

The Clerk called the roll and announced to the President Pro Tempore that all Senators were present.

Reverend Claude H. Lorimer, of the First Christian Church of Olympia, offered prayer.

On motion of Senator Keeler, the reading of the journal of the previous day was dispensed with and it was approved.

Senator Duggan assumed the chair.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 190; also
House Bill No. 208; also
House Bill No. 225; also
House Bill No. 236; also
House Bill No. 380; also
House Bill No. 381; also
House Bill No. 399; also
House Bill No. 466; also
House Bill No. 565; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

SPECIAL ORDER

House Bill No. 68:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 68, entitled: "An Act relating to probate of estates and authorizing creditors of deceased

persons to file a demand for notice of proceedings by executors or administrators, and amending section 64, chapter 156, Session Laws of 1917 (section 1434, Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 5 of the printed bill, being line 11 of the original bill after the word "creditor" which appears before the words "or attorney" by inserting the words "whose claim has been duly served and filed". FRED S. DUGGAN, *Chairman*.

We concur in this report: A. M. Murfin, Albert D. Rosellini, Ralph Metcalf, Clifford O. Moe, H. I. Kyle, Mary Farquharson, Geo. F. McAulay, Leroy L. Todd.

On motion of Senator Kyle, the report of the committee was received and the bill was read the third time.

On motion of Senator Farquharson, the committee amendment was adopted.

The Secretary called the roll on the final passage of House Bill No. 68, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Murphy, Orndorff, Percival, Shorett, Sieler, Thomas, Todd, Voyce and Wanamaker—32.

Absent or not voting: Senators Drumheller, Holt, Klemgard, Malstrom, Maxwell, McAulay, Reardon, Roberts, Rosellini, Roup, Schroeder, Stinson, Sullivan and Troy—14.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Drumheller, the Senate was declared at ease, subject to the call of the Chair.

Senate Bill No. 374:

The President appointed Senators Henderson, Haddon and Malstrom as a conference committee on Senate Bill No. 374.

On motion of Senator Kyle, the committee appointment was confirmed.

SPECIAL ORDER

Engrossed House Bill No. 471:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Roads and Bridges, to whom was referred Engrossed House Bill No. 471, entitled: "An Act relating to public highways and motor vehicles and the operators thereof; providing for an offense of negligent operation; defining terms; amending Chapter 189, Session Laws of 1937, by adding thereto a new section to be known as section 118½; and declaring an emergency and that this act shall take effect the first day of April, 1939.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. P. KELLER, *Chairman*.

We concur in this report: Pearl A. Wanamaker, Thomas Voyce, Lulu D. Haddon, C. F. Stinson, T. C. Bloomer, Earl Maxwell, Leroy L. Todd, Geo. F. McAulay, Howard Roup, Clifford O. Moe.

On motion of Senator Keller, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 471, and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Henderson, Holt, Keller, Koontz, Kyle, Lovejoy, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Rardon, Roberts, Roup, Shorett, Sieler, Troy, Voyce and Wanamaker—28.

Those voting nay were: Senators Kerstetter, Malstrom, Morgan, Murphy, Thomas and Todd—6.

Absent or not voting: Senators Atkinson, Bloomer, Farquharson, Haddon, Keeler, Klemgard, Moe, Percival, Rosellini, Schroeder, Stinson and Sullivan—12.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

REPORTS OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 98, 371, 382, 408 and 422, have compared same with the original bills and find them correctly enrolled.

Respectfully submitted,

Geo. A. Lovejoy, Chairman.

We concur in this report: A. M. Murfin, W. C. Dawson, Monty Percival.

Senate Chamber,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 150, 194 and 204, have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

Geo. A. Lovejoy, Chairman.

We concur in this report: A. M. Murfin, W. C. Dawson, Monty Percival.

The reports were ordered received.

REPORT OF SPECIAL COMMITTEE

Senator Roberts announced that he was ready to make a report on the cost of printing 1000 additional copies of the Oil Industry Investigation. He stated that provided the pamphlet could be held to sixteen pages, the cost would be \$100.00; if more than sixteen pages, the cost would be \$125.00.

Senator Todd moved that the pamphlet be confined to sixteen pages, and that the Senate order the printing of 1000 additional copies of the Oil Industry Investigation report.

On motion of Senator Orndorff, the motion by Senator Todd was laid on the table.

The President signed House Bill No. 190, House Bill No. 208, House Bill No. 225, House Bill No. 236, House Bill No. 380, House Bill No. 381, House Bill No. 399, House Bill No. 466, House Bill No. 565, also Senate Bill No. 98, Senate Bill No. 150, Senate Bill No. 194, Senate Bill No. 204, Senate Bill No. 371, Senate Bill No. 382, Senate Bill No. 408, also Senate Bill No. 422.

MOTION

On motion of Senator Reardon, the Senate acknowledged the splendid service rendered the Senate by Miss Agnes Barchus, an employee of the Senate, and ordered that her name appear in the Journal.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 8, 1939.

MR. PRESIDENT:

The House has refused to concur in the following Senate Amendments to Engrossed Substitute House Bill No. 392:

"Amend Sec. 4, line 10, pages 3 and 4 of the original engrossed substitute bill by striking the colon (:) after the word 'towns' and inserting in lieu thereof a period (.) and by striking the balance of the section, the same being House amendments to section 4 of the printed substitute bill."

"Amend section 28, line 28, page 13 of the original engrossed substitute bill by striking the colon (:) after the word 'available' and inserting in lieu thereof a period (.) and by striking the balance of the section, the same being the House amendments to section 28 of the printed substitute bill.", and asks the Senate to recede therefrom.

The House has concurred in the following Senate amendment to Engrossed Substitute House Bill No. 392:

Amend Sec. 28, line 20, page 13 of the original engrossed substitute bill, being page 7, section 28, line 36 of the printed substitute bill by inserting after the word and punctuation "law;" and before the word "and" the following: "including sums to be repaid to counties composed entirely of islands," and passed the bill with that amendment, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senators Keller, Edwards and Drumheller demanded a call of the Senate. A call of the Senate was ordered.

CALL OF THE SENATE

Senator Reardon assumed the chair.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

The Secretary called the roll, all Senators being present except Senators Keeler and Klemgard.

The Sergeant-at-Arms was ordered to bring the absent Senators to the floor of the Senate.

Senator Maxwell moved that the Senate proceed under the call.

Senator Murfin moved that the rules be suspended and that Senators Keeler and Klemgard be excused.

The motion by Senator Murfin failed to carry.

Senator Kyle moved that the rules be suspended and that Senators Keeler and Klemgard be excused.

On motion of Senator Farquharson, the motion by Senator Kyle was laid on the table.

Senator Ferryman assumed the chair.

President Meyers assumed the chair.

Senator Roberts moved that the rules be suspended and that Senator Klemgard be excused.

The motion by Senator Roberts failed to carry.

On motion of Senator Drumheller, the lady members of the Senate under the escort of the Sergeant-at-Arms were excused long enough to permit of their having pictures taken.

On motion of Senator Wanamaker, the Senate proceeded under the call of the Senate.

Senator Keller moved that the Senate recede from its amendments to section 4, line 10, pages 3 and 4, and section 28, line 28, page 13, to Engrossed Substitute House Bill No. 392.

Senators Wanamaker, Haddon and Murfin demanded the previous question. The previous question was ordered.

The Chair announced that the question now before the Senate is on the motion by Senator Keller, that the Senate do recede from Senate amendments to Sec. 4, line 10, pages 3 and 4, and Sec. 28, line 28, page 13, of Engrossed Substitute House Bill No. 392.

Senators Keller, Farquharson, Wanamaker, McDonald, Murphy, Voyce, Lovejoy and Drumheller demanded a roll call.

A roll call was ordered.

The Secretary called the roll and the motion by Senator Keller carried by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Edwards, Haddon, Keller, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Mills, Moe, Murfin, Murphy, Roberts, Sieler, Stinson, Sullivan, Todd, Voyce and Wanamaker—25.

Those voting nay were: Senators Dawson, Drumheller, Duggan, Farquharson, Ferryman, Henderson, Holt, Keeler, Kerstetter, Maxwell, Metcalf, Morgan, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Thomas and Troy—21.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 392, as previously amended in Sec. 28, line 20, page 13, of the original bill, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Edwards, Ferryman, Haddon, Keller, Klemgard, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Percival, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Todd, Troy, Voyce and Wanamaker—31.

Those voting nay were: Senators Duggan, Farquharson, Henderson, Holt, Keeler, Kerstetter, Kyle, Maxwell, Morgan, Murphy, Orndorff, Reardon, Rosellini, Sullivan and Thomas—15.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 535, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 126, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator McMillan, the further call of the Senate was dispensed with.

There being no objection, Senator McMillan was excused for twenty minutes.

GENERAL FILE

House Bill No. 379:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Banks and Banking, to whom was referred House Bill No. 379, entitled: "An Act relating to bonds issued by counties, cities and towns, and repealing all acts and parts of acts in conflict herewith.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. F. MCAULAY, *Chairman.*

We concur in this report: Robert T. McDonald, Henry J. Copeland, Thomas Voyce, Herbert H. Sieler.

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

We, a part of your Committee on Banks and Banking, to whom was referred House Bill No. 379, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman.*

We concur in this report: F. L. Morgan.

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

We, a part of your Committee on Banks and Banking, to whom was referred House Bill No. 379, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman.*

We concur in this report: Kathryn E. Malstrom.

On motion of Senator McAulay, the reports of the committee were received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 379, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Rosellini, Roup, Schroeder, Shorett, Stinson, Thomas, Todd, Troy, Voyce and Wanamaker—42.

Those voting nay were: Senators Murphy and Sieler—2.

Absent or not voting: Senators Roberts and Sullivan—2.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 382:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 382, entitled: "An Act giving county commissioners the power to designate county owned lands as homesite lands; providing for the settlement, improvement and deeding of such lands; and repealing all acts and parts of acts in conflict herewith.", have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

HOWARD ROUP, *Chairman.*

We concur in this report: F. L. Morgan, John H. Ferryman, Clifford O. Moe.

On motion of Senator Roup the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 382, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Roberts, Schroeder, Shorett, Sieler, Stinson, Thomas, Troy and Voyce—34.

Those voting nay were: Senator McAulay—1.

Absent or not voting: Senators Ferryman, Maxwell, McDonald, McMillan, Murphy, Reardon, Rosellini, Roup, Sullivan, Todd and Wanamaker—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 90:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Cities of the First Class, to whom was referred Engrossed House Bill No. 90, entitled: "An Act enabling the creation and establishment of retiring and pension systems for superannuated and disabled officers and employees of cities of the first class; providing for the payment of retirement allowances; prescribing the conditions on which said allowances shall be paid; fixing rates of contribution and providing for the adjustment thereof; and providing for the administration of said systems.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass as amended:

Amend section 1, lines 1 to 4, inclusive, on page 1 of the printed bill, the same being lines 8 to 12, inclusive, on page 1 of the original bill, by striking the whole of said section and inserting in lieu thereof the following:

"SECTION 1. The purpose of this act is to establish retirement and pension systems for superannuated or totally and permanently disabled officers and employees of first class cities in first class counties."

Amend Sec. 3, line 44 on page 2, and line 1 on page 3 of the printed bill, being line 31 on page 3 and lines 1 and 2 on page 4 of the original bill, by striking the words after the word "each" commencing with the word "city", to and including the words "July 1, 1939," and inserting in lieu thereof the following: "first class city in first class county, to become effective July 1, 1939, except as hereinafter provided."

Amend Sec. 3, lines 6 and 7 on page 3 of the printed bill, same being line 9 on page 4 of the original bill, by striking the words after the word "than" commencing with the word "six", to and including the words "July 1, 1939.", and substitute in lieu thereof the following: "two (2) years and six (6) months from July 1, 1939, and in the event such department or departments do so elect to postpone participation, the date upon which participation begins shall qualify and determine the applicable dates of the several provisions of this act."

Amend the title by striking the words after the word "Act" commencing with the word "Enabling" to and including the word "retiring" in the first line of said title, and substitute in lieu thereof the words "Creating and establishing retirement".

Further amendment to the title.—After the words "employees of" strike the words "cities of the first class" and substitute in lieu thereof the words "first class cities in first class counties".

ALFRED E. HOLT, *Chairman*.

We concur in this report: Robert T. McDonald, T. C. Bloomer, G. B. Kerstetter.

Senate Chamber,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Cities of the First Class, to whom was referred Engrossed House Bill No. 90, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

We concur in this report: W. R. Orndorff.

Senate Chamber,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Cities of the First Class, to whom was referred Engrossed House Bill No. 90, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

We concur in this report: Paul G. Thomas, Joseph D. Roberts.

On motion of Senator Holt, the reports of the committee were received and the bill was read the third time.

On motion of Senator Holt, the committee amendments to Engrossed House Bill No. 90 were laid on the table.

On motion of Senator Duggan, the following amendment was adopted:

Amend section 3 by striking the whole thereof and inserting in lieu thereof the following:

"A retirement system is hereby created and established in each city of the first class in each first class county to be known as the 'employees retirement system'. This act shall become effective as to any such city when by ordinance of the city duly enacted its terms are expressly accepted and made applicable thereto. This section shall not be construed as preventing performance before July 1, 1939, of any preliminary work which any city council, city commission or board of administration shall deem necessary."

The Secretary called the roll on the final passage of Engrossed House Bill No. 90, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Moe, Morgan, Mufin, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd and Voyce—32.

Those voting nay were: Senators Copeland, Dawson and Mills—3.

Absent or not voting: Senators Atkinson, Farquharson, Keller, Maxwell, McMillan, Metcalf, Murphy, Roup, Sieler, Troy and Wanamaker—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator Murfin, consideration of House Bill No. 351 was deferred until the return to the Senate floor, of Senator McMillan.

Engrossed House Bill No. 145:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 145, entitled: "An Act relating to the tax on retail sales; providing certain exemptions therefrom; and amending section 19 of chapter 180 of the Laws of 1935.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman.*

We concur in this report: W. R. Orndorff, Kebel Murphy, Harold P. Troy, James T. Sullivan, Ralph Metcalf, Pearl A. Wanamaker.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

On motion of Senator Drumheller, the following amendments were adopted:

Amend by striking everything after the enacting clause and substituting in lieu thereof the following:

"SECTION 1. Section 2 of chapter 166 of the Laws of 1937 (section 6382-2 of Remington's Revised Statutes) is hereby amended to read as follows:

"Section 2. * * * * When used in this act:

"(a) The term 'person' means and includes an individual, firm, co-partnership, corporation, company, association or their lessees, trustees or receivers.

"(b) The term 'department' means the department of public service of the State of Washington.

"(c) The term 'motor vehicle' means any truck, trailer, semi-trailer, tractor or any self-propelled or motor driven vehicle used upon any public highway of this state for the purpose of transporting property, but not including baggage, mail and express transported on the vehicles of auto transportation companies carrying passengers.

"(d) The term 'public highway' means every street, road or highway in this state.

"(e) The term 'common carrier' means any person who undertakes to transport property for the general public by motor vehicle for compensation, whether over regular or irregular routes, or regular or irregular schedules, including motor vehicle operations of other carriers by rail or water and of express or forwarding companies.

"(f) The term 'contract carrier' shall include all motor vehicle operators not included under the terms 'common carrier' and 'private carrier' as herein defined in paragraph (e) and paragraph (g), and further shall include any person who under special and individual contracts or agreements transports property by motor vehicle for compensation.

"(g) A 'private carrier' is a person who, in his own vehicle, transports only property owned or being bought or sold by him in good faith and only when such transportation is purely an incidental adjunct to some other established private business owned or operated by him in good faith. *A 'private carrier,' as such, shall not be prohibited from maintaining price differentials in fixing the delivered selling price of his property and such price differentials shall not constitute 'compensation' as that term is used in this act.*

"(h) The term 'motor carrier' means and includes 'common carrier,' 'contract carrier,' 'private carrier' and 'exempt carrier' as herein defined.

"(i) The term 'exempt carrier' means any person operating a vehicle exempted from certain provisions of this act under section 3 hereof.

"(j) The term 'vehicle' means every device capable of being moved upon a public highway and in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rail or tracks.

"The terms 'common carrier' and 'contract carrier' shall include persons engaged in the business of providing, contracting for, or undertaking to provide transportation of property for compensation over the public highways of the State of Washington as brokers or forwarders."

Amend the title by striking the whole thereof and inserting in lieu thereof the following:

"Relating to transportation by motor vehicles, defining terms and amending section 2 of chapter 166 of the Laws of 1937 (section 6382-2 of Remington's Revised Statutes)."

The Secretary called the roll on the final passage of Engrossed House Bill No. 145, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Sullivan and Thomas—31.

Those voting nay were: Senators Atkinson, Keeler, Morgan, Stinson, Todd and Voyce—6.

Absent or not voting: Senators Farquharson, Maxwell, McMillan, Metcalf, Murphy, Roup, Sieler, Troy and Wanamaker—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 401:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

We, your Committee on Parks and Playgrounds, to whom was referred House Bill No. 401, entitled: "An Act relating to state parks and establishing the Salt Creek State Park in Jefferson county.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOSEPH D. ROBERTS, *Chairman.*

We concur in this report: Paul G. Thomas, Alfred E. Holt, J. W. Henderson, Albert D. Rosellini, Leroy L. Todd.

On motion of Senator Roberts, the report of the committee was received and the bill was read the third time.

On motion of Senator Keeler, the following amendments were adopted:

Amend section 1, line 3 of the printed bill, by striking "Jefferson" and inserting the word "Clallam".

Amend title of the act by striking "Jefferson" and inserting "Clallam".

The Secretary called the roll on the final passage of House Bill No. 401, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mills, Moe, Morgan, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Sieler, Stinson, Sullivan, Thomas, Voyce and Wanamaker—36.

Those voting nay were: Senator Murphy—1.

Absent or not voting: Senators Bloomer, Lovejoy, McDonald, Metcalf, Murfin, Roup, Shorett, Todd and Troy—9.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

On motion of Senator McMillan, it was ordered that House Bill No. 351 be now taken up for consideration.

House Bill No. 351:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 3, 1939.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Engrossed House Bill No. 351, entitled: "An Act relating to the department of agriculture; providing for the regulation and registration of concentrated commercial feeding stuffs, fertilizers, and livestock remedies, and the labeling and advertising thereof, and for other purposes; providing for the licensing and regulation of retail dealers in concentrated commercial feeding stuffs; providing penalties; repealing chapter 37 of the Laws of 1937 (sections 7016 to 7019-22, inclusive, of Remington's Revised Statutes; section 89-21 to 89-45, inclusive, of Pierce's Code).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend Sec. 24, page 7, line 20 of the original bill, same being Sec. 24, page 4, line 43 of the printed bill, after the word "stuff" strike the period (.) and insert in lieu thereof a comma (,) and add the following "nor to any dealer as to his sales of dog foods or livestock remedies".

Amend Sec. 28, page 8, line 7 of the original bill, same being Sec. 28, page 5, line 12 of the printed bill by striking the whole thereof.

Amend Sec. 29, page 8, line 21 of the original bill, same being Sec. 29, page 5, line 23 of the printed bill, by striking the whole thereof.

Amend Sec. 30, page 9, line 2 of the original bill, same being Sec. 30, page 5, line 30 of the printed bill, after the word "Sec." strike the figures "30" and insert in lieu thereof the figures "28" re-numbering each consecutive section thereafter.

Amend renumbered Sec. 28, page 9, line 12 of the original bill, same being renumbered Sec. 28, page 5, line 38 of the printed bill, after the period (.), and beginning with the word "The" strike the remainder of the section.

Amend renumbered Sec. 35, page 11, line 3 of the original bill, same being renumbered Sec. 30, page 6, line 35 of the printed bill, after the word "more" and before the word "the" strike the words "or less than" and insert in lieu thereof the following: "than fifty (50) pounds except".
D. E. McMILLAN, *Chairman*.

We concur in this report: A. M. Murfin, John H. Ferryman, Henry J. Copeland, Howard Roup.

On motion of Senator McMillan, the report of the committee was received and the bill was read the third time.

On motion of Senator McMillan, the committee amendments were adopted.

On motion of Senator McMillan, the following amendment was adopted:

Amend section 25, line 2, page 5 of the printed bill, after the word "of" strike the words and figures "ten dollars (\$10.00)" and insert in lieu thereof the words and figures "two dollars (\$2.00)".

The Secretary called the roll on the final passage of Engrossed House Bill No. 351, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Mills, Moe, Orndorff, Percival, Reardon, Roberts, Rosellini, Schroeder, Shorett, Stinson, Sullivan, Thomas, Todd, Troy and Voyce—34.

Those voting nay were: Senators Klemgard, Lovejoy, Morgan and Murphy—4.

Absent or not voting: Senators Atkinson, Duggan, Keller, McDonald, Murfin, Roup, Sieler and Wanamaker—8.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Senator Ferryman moved that the rules be suspended and that Engrossed House Bill No. 541 be placed on the calendar at this point and considered by the Senate.

On motion of Senator Kyle, the motion was laid on the table.

House Bill No. 298:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 298, entitled: "An Act relating to finance; authorizing the state treasurer to close an outstanding balance carried in his cash account as deposits in closed banks; appropriating \$33,570.29 from the 'deposit interest fund', as and when available, to the state treasurer; and providing that any further dividends from closed banks be credited to the 'deposit interest fund'," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 2 of the printed bill, being line 10 of the original bill, by striking the word "said" and inserting in lieu thereof the word "which".

Amend section 1, line 5 of the printed bill, being line 13 of the original bill, by inserting a period (.) after the word "available" and by capitalizing the "t" in the following word "the".

Amend section 1, line 5 of the printed bill, being line 14 of the original bill, by striking the word "write" and inserting in lieu thereof the word "issue".

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Ralph Metcalf, H. I. Kyle, Herbert H. Sieler, Leroy L. Todd, F. L. Morgan, Albert D. Rosellini, Clifford O. Moe, Geo. F. McAulay.

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider House Bill No. 298.

The bill was considered in the committee of the whole, Senator Orndorff in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Orndorff, the report of the committee of the whole was adopted.

On motion of Senator Kyle, the committee amendments read in the committee of the whole were adopted.

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of the bill, and that the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of House Bill No. 298, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murphy, Orndorff, Percival, Roberts, Schroeder, Shorett, Sullivan, Thomas, Todd and Voyce—34.

Absent or not voting: Senators Farquharson, Holt, Keller, Klemgard, Murfin, Reardon, Rosellini, Roup, Sieler, Stinson, Troy and Wanamaker—12.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 299:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 299, entitled: "An Act relating to depositories of public funds, and amending section 2 of chapter 139 of the Laws of 1935 (section 5549 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Ralph Metcalf, H. I. Kyle, Clifford O. Moe, Geo. F. McAulay, F. L. Morgan, Albert D. Rosellini.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 299, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Keeler, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Orndorff, Percival, Roberts, Roup, Schroeder, Shorett, Sullivan, Thomas and Voyce—27.

Absent or not voting: Senators Atkinson, Drumheller, Farquharson, Haddon, Henderson, Holt, Keller, Kerstetter, Mills, Morgan, Murfin, Murphy, Reardon, Rosellini, Sieler, Stinson, Todd, Troy and Wanamaker—19.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 348:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 4, 1939.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred House Bill No. 348, entitled: "An Act relating to the proceeds of life insurance and amending section 2 of chapter 92 of the Laws of 1927 (section 7230-1 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ROBERT T. McDONALD, *Chairman*.

We concur in this report: W. C. Dawson, H. I. Kyle, Keel Murphy, W. R. Orndorff, Geo. A. Lovejoy, Albert D. Rosellini.

On motion of Senator McDonald, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 348, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Ferryman, Haddon, Henderson, Keeler, Kerstetter, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Morgan, Orndorff, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy and Wanamaker—30.

Absent or not voting: Senators Atkinson, Duggan, Edwards, Farquharson, Holt, Keller, Klemgard, Kyle, Mills, Murfin, Murphy, Percival, Reardon, Rosellini, Todd and Voyce—16.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 342:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,

Olympia, Wash., February 27, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred House Bill No. 342, entitled: "An Act relating to irrigation districts comprising within their boundaries two hundred thousand (200,000) or more acres of land, and providing for the disorganization and liquidation of such districts which have been in existence for more than twenty (20) years without furnishing irrigation and have no bonded indebtedness.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend section 1, line 1 of the original bill, the same being section 1, line 1 of the printed bill after the word "Washington," by striking the following: "comprising within its boundaries two hundred thousand (200,000) or more acres of land,".

Amend section 2, line 15 of the original bill, the same being section 2, line 7 of the printed bill, after the word "by" by striking the following word and figures: "fifty (50)" and inserting in lieu thereof the word and figures "twenty-five (25)".

Amend the title by inserting a comma after the word "districts" and striking the following: "comprising within their boundaries two hundred thousand (200,000) or more acres of land,".

JOE L. KEELER, *Chairman.*

We concur in this report: J. M. Koontz, Herbert H. Sieler, C. F. Stinson, Clifford O. Moe.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

On motion of Senator Moe, the committee amendments were adopted.

The Secretary called the roll on the final passage of House Bill No. 342, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Moe, Morgan, Murfin, Orndorff, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—34.

Absent or not voting: Senators Atkinson, Drumheller, Farquharson, Kerstetter, Kyle, Maxwell, Metcalf, Mills, Murphy, Percival, Reardon and Todd

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 343:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred House Bill No. 343, entitled: "An Act relating to irrigation districts comprising within their boundaries two hundred thousand (200,000) or more acres of land; authorizing the inclusion of lands within the operation of such districts; outlining certain procedure; and prescribing official duties and powers with respect thereto.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOE L. KEELER, *Chairman.*

We concur in this report: Clifford O. Moe, J. M. Koontz, Geo. F. McAulay, C. F. Stinson.

On motion of Senator Keeler, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 343, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Duggan, Edwards, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Mills, Moe, Morgan, Murfin, Orndorff, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—35.

Absent or not voting: Senators Drumheller, Farquharson, Ferryman, Keeler, Kyle, Maxwell, Metcalf, Murphy, Percival, Reardon and Todd—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 235:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., February 25, 1939.

MR. PRESIDENT:

We, your Committee on Parks and Playgrounds, to whom was referred House Bill No. 235, entitled: "An Act designating and officially naming an existing park road within Riverside State Park the Aubrey L. White Parkway.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOSEPH D. ROBERTS, *Chairman.*

We concur in this report: Alfred E. Holt, J. W. Henderson, James T. Sullivan, Paul G. Thomas, Leroy L. Todd.

On motion of Senator Roberts, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 235, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Mills, Morgan, Murfin, Orndorff, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Troy, Voyce and Wanamaker—36.

Absent or not voting: Senators Farquharson, Klemgard, Kyle, Maxwell, Metcalf, Moe, Murphy, Percival, Reardon and Todd—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 415:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Military, to whom was referred House Bill No. 415, entitled: "An Act relating to the State Military Department and providing for the sale of certain real property, and making an appropriation of funds realized therefrom.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. W. R. ORNDORFF, *Chairman*.

We concur in this report: Ted F. Schroeder, Chapin A. Mills, Joseph D. Roberts.

On motion of Senator Orndorff, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 415, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Klemgard, Koontz, Lovejoy, Malstrom, McAulay, McDonald, McMillan, Mills, Moe, Morgan, Murfin, Orndorff, Roberts, Rosellini, Roup, Schroeder, Shorett, Sieler, Stinson, Thomas, Todd, Troy and Voyce—32.

Absent or not voting: Senators Bloomer, Drumheller, Duggan, Farquharson, Keeler, Kerstetter, Kyle, Maxwell, Metcalf, Murphy, Percival, Reardon, Sullivan and Wanamaker—14.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 312:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 312, entitled: "An Act relating to the State Law Librarian, prescribing his duties, and amending section 1 of chapter 32 of the Laws of 1907 (section 8209 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendment:

Amend section 1, line 6 of the printed bill, being line 13 of the original bill, by striking the words "biennial reports to the legislature", and inserting in lieu thereof the words "semi-annual reports to the judicial council,".

FRED S. DUGGAN, *Chairman*.

We concur in this report: Harold P. Troy, Ralph Metcalf, Albert D. Rosellini, Leroy L. Todd, Clifford O. Moe, Geo. F. McAulay, F. L. Morgan.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Orndorff, the report of the committee was adopted.

The Secretary called the roll on the final passage of House Bill No. 312, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, McAulay, McDonald, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Schroeder, Sieler, Stinson, Thomas, Todd, Troy and Voyce—32.

Those voting nay were: Senator Murphy—1.

Absent or not voting: Senators Bloomer, Drumheller, Farquharson, Keeler, Klemgard, Malstrom, Maxwell, McMillan, Metcalf, Reardon, Shorett, Sullivan and Wanamaker—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 314:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 314, entitled: "An Act authorizing cities of the first and second class to sell unclaimed personal property in the possession of their police authorities, fixing the manner and sale thereof, and providing for the disposal of the proceeds of such sale, and amending sections 1, 3 and 4 of chapter 100 of the Laws of 1925, Extraordinary Session (sections 8999-1, 8999-3 and 8999-4 of Remington's Revised Statutes).", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman*.

We concur in this report: Clifford O. Moe, Geo. F. McAulay, Mary Farquharson, Herbert H. Sieler, Harold P. Troy, H. I. Kyle, Leroy L. Todd, Ralph Metcalf, Albert D. Rosellini, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 314, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, McAulay, McDonald, Mills, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Schroeder, Sieler, Stinson, Thomas, Todd, Troy and Voyce—33.

Absent or not voting: Senators Bloomer, Drumheller, Farquharson, Keeler, Maxwell, McMillan, Metcalf, Moe, Reardon, Roup, Shorett, Sullivan and Wanamaker—13.

The bill, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 426:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 426, entitled: "An Act providing for actions to test the validity of bonds to be issued by counties, cities, school districts or other municipal corporations or taxing districts.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Harold P. Troy, Ralph Metcalf, F. L. Morgan, Herbert H. Sieler, Albert D. Rosellini, Clifford O. Moe, H. I. Kyle, Geo. F. McAulay.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 426, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Ferryman, Haddon, Holt, Keller, Kerstetter, Lovejoy, Malstrom, McAulay, McDonald, Metcalf, Morgan, Murfin, Murphy, Orndorff, Percival, Roberts, Rosellini, Schroeder, Sieler, Stinson, Sullivan, Thomas, Todd and Joyce—29.

Absent or not voting: Senators Bloomer, Drumheller, Farquharson, Henderson, Keeler, Klemgard, Koontz, Kyle, Maxwell, McMillan, Mills, Moe, Reardon, Roup, Shorett, Troy and Wanamaker—17.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

•Engrossed House Bill No. 146:

On motion of Senator Kyle, Engrossed House Bill No. 146 was placed at the foot of the calendar.

House Bill No. 175:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 7, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 175, entitled: "An Act relating to the listing and assessment of property for taxation; providing for annual listing and assessment of both real and personal property; prescribing that certain personal property shall be listed and assessed on a monthly average basis; amending section 8, chapter 130, Laws Extraordinary Session of 1925; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend House Bill No. 175 by adding thereto two new sections to be known as Sec. 2 and Sec. 3, respectively, to follow section 1, to read as follows:

"Sec. 2. That section 10, chapter 228, Laws of 1937, being section 6312-110, Remington's Revised Statutes, be and the same is hereby repealed.

"Sec. 3. Section 11, chapter 228, Laws of 1937, being section 6312-111, Remington's Revised Statutes, is hereby repealed and in lieu thereof a new section is hereby enacted to read as follows:

"Section 11. *The duties imposed upon the various state and county officers by this act shall be performed within such time or times as to give effect to the act. No private motor vehicle, as herein defined, shall be listed and assessed for ad valorem taxes for the year 1940 or any succeeding year so long as this act remains in effect.*"

Further amend the bill by re-numbering Sec. 2 to read "Sec. 4."

Amend the title by striking the whole thereof and inserting in lieu thereof the following:

"An Act relating to the listing and assessment of property for taxation, prescribing the certain personal property shall be listed and assessed on a monthly average basis, providing for the taxation of motor vehicles, amending section 8, chapter 130 of the Laws of the 1925 Extraordinary Session, and chapter 228, Laws of 1937, and declaring an emergency."

A. M. MURFIN, *Chairman.*

We concur in this report: F. L. Morgan, W. R. Orndorff, N. P. Atkinson, Alfred E. Holt, Joseph D. Roberts, James T. Sullivan, Ralph Metcalf, Albert D. Rosellini.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

On motion of Seator Murfin, the committee amendments were adopted.

Senators Orndorff, Maxwell and Ferryman demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 175, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Drumheller, Edwards, Ferryman, Henderson, Holt, Keller, Kerstetter, Klemgard, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Roberts, Rosellini, Shorett, Sieler, Stinson, Thomas and Todd—30.

Absent or not voting: Senators Bloomer, Dawson, Duggan, Farquharson, Haddon, Keeler, McDonald, McMillan, Murphy, Reardon, Roup, Schroeder, Sullivan, Troy, Voyce and Wanamaker—16.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Senator Percival assumed the chair.

House Bill No. 163:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 163, entitled: "An Act relating to taxation and setting the date establishing county, city and other taxing district boundaries for purposes of property taxation and the levy of property taxes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

FRED S. DUGGAN, *Chairman.*

We concur in this report: Clifford O. Moe, Geo. F. McAulay, H. I. Kyle, Herbert H. Sieler, Leroy L. Todd, Mary Farquharson, Ralph Metcalf, Albert D. Rosellini, A. M. Murfin.

On motion of Senator Duggan, the report of the committee was received and the bill was read the third time.

On motion of Senator Sieler, the following amendments were adopted:

Add a new section to read as follows:

Sec. 2. All annual taxes and assessments of real and personal property shall hereafter be known and designated as taxes and assessments of the year in which such taxes and assessments, or the initial installment thereof, shall become due and payable; except, that any such taxes and assessments that have become due and payable, or of which any installment has become due and payable, at the time this act becomes effective, shall continue to be known and designated the same as heretofore.

Amend the title by striking the period (.), inserting a semi-colon (;) and add the following: "and relating to the designation of taxes and assessments."

The Secretary called the roll on the final passage of House Bill No. 163, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Ferryman, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Roup, Shorett, Sieler, Stinson, Thomas, Todd, Troy, Voyce and Wanamaker—32.

Those voting nay were: Senators Murphy—1.

Absent or not voting: Senators Bloomer, Duggan, Farquharson, Haddon, Keeler, Klemgard, McDonald, McMillan, Reardon, Roberts, Rosellini, Schroeder and Sullivan—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

House Bill No. 521:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 521, entitled: "An Act relating to taxation; authorizing the segregation and separate payment of tax upon improvements owned separately from the fee as a part of which they have been assessed; and prescribing the duties of certain county officers in connection therewith.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman.*

We concur in this report: W. R. Orndorff, Kebel Murphy, Harold P. Troy, Ralph Metcalf, Pearl A. Wanamaker, James T. Sullivan.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

The Secretary called the roll on the final passage of House Bill No. 521, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd and Troy—33.

Absent or not voting: Senators Bloomer, Duggan, Keeler, Klemgard, McDonald, McMillan, Metcalf, Murphy, Reardon, Roberts, Rosellini, Voyce and Wanamaker—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Re-Engrossed House Bill No. 324:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, a part of your Committee on Horticulture, to whom was referred Re-Engrossed House Bill No. 324, entitled: "An Act relating to apples; providing for the sale and distribution thereof and the prevention of frauds in such sale and distribution; providing for grades and labels and the issuance of permits; levying assessments and fees and providing for their collection; prescribing penalties; and declaring that this act shall take effect immediately.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.
....., *Chairman*.

We concur in this report: J. M. Koontz, John H. Ferryman.

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, a part of your Committee on Horticulture, to whom was referred Re-Engrossed House Bill No. 324, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

CHAPIN A. MILLS, *Chairman*.

We concur in this report:

On motion of Senator Mills, the report of the committee was received and the bill was read the third time.

On motion of Senator Mills, the following amendment was adopted:

Amend Sec. 6, lines 20-21, page 2, after the word "purposes" strike "within the State of Washington".

On motion of Senator Mills, the following amendment was adopted:

Amend section 7-A, lines 5 and 6 of House amendment. After the word "factory" strike the words "within the State of Washington."

On motion of Senator Murfin, the following amendment was adopted:

Strike 6-A.

The Secretary called the roll on the final passage of Re-Engrossed House Bill No. 324, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Haddon, Holt, Keeler, Keller, Kerstetter, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Thomas, Todd, Troy, Voyce and Wanamaker—34.

Those voting nay were: Senators Kyle and Murphy—2.

Absent or not voting: Senators Bloomer, Duggan, Henderson, Klemgard, McDonald, McMillan, Metcalf, Reardon, Roberts and Rosellini—10.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 541:

The Secretary read:

REPORTS OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, a majority of your Committee on Horticulture, to whom was referred Engrossed House Bill No. 541, entitled: "An Act relating to the apple industry; providing the public policy of this state; declaring and prohibiting unfair trade practices and preventing frauds; defining terms; providing for certain orders and marketing agreements and the terms thereof; prescribing the powers and duties of the director of agriculture and the making of rules and regulations; establishing and delineating the powers and duties of the Washington apple marketing board; providing for the enforcement of this act; prescribing penalties, and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass., *Chairman.*

We concur in this report: J. M. Koontz, John H. Ferryman, Geo. F. McAulay.

Senate Chamber,
Olympia, Wash., March 6, 1939.

MR. PRESIDENT:

We, a minority of your Committee on Horticulture, to whom was referred Engrossed House Bill No. 541, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

CHAFIN A. MILLS, *Chairman.*

We concur in this report: Joseph Drumheller.

On motion of Senator Mills, the reports of the committee were received and the bill was read the third time.

On motion of Senator Mills, the following amendment was adopted:

Amend Sec. 3, line 12, page 3 of the engrossed bill, by striking the words "within the state."

The Secretary called the roll on the final passage of Engrossed House Bill No. 541, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Holt, Keeler, Keller, Kerstetter, Klemgard, Koontz, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Orndorff, Percival, Roberts, Roup, Schroeder, Sieler, Stinson, Sullivan, Todd and Wanamaker—34.

Those voting nay were: Senators Kyle, Mills and Morgan—3.

Absent or not voting: Senators Farquharson, Murfin, Murphy, Reardon, Rosellini, Shorett, Thomas, Troy and Voyce—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION FOR RECONSIDERATION**Engrossed Senate Bill No. 48:**

Senator Drumheller moved that the rules be suspended and that the Senate reconsider the vote by which Engrossed Senate Bill No. 48 was indefinitely postponed.

The motion carried.

Senators Drumheller, Orndorff and Kyle demanded the previous question.
The previous question was ordered.

Senator Drumheller moved that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 48, and that the Senate ask the House to recede therefrom.

Senators Keller, Orndorff and Lovejoy demanded the previous question.
The previous question was ordered.
The motion by Senator Drumheller carried.

GENERAL FILE

House Bill No. 146:

The Secretary read:

REPORT OF STANDING COMMITTEE

Senate Chamber,
Olympia, Wash., March 5, 1939.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 146, entitled: "An Act relating to the collection of taxes; validating certain agreements heretofore executed for the payment of delinquent real property taxes in installments; and declaring an emergency.", have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

A. M. MURFIN, *Chairman.*

We concur in this report: W. R. Orndorff, Kebel Murphy, Harold P. Troy, Ralph Metcalf, Pearl A. Wanamaker, James T. Sullivan.

On motion of Senator Murfin, the report of the committee was received and the bill was read the third time.

On motion of Senator Copeland, the following amendment was adopted:

Amend the bill, following line 18, page 2, by adding a new section to be known as Sec. 3, to read as follows:

"Sec. 3. Whenever in their discretion the board of county commissioners of any county in this state deem it for the best interests of said county and the people thereof, they may lease to the highest and best bidder at public auction, with or without option to purchase, any part or parcel, or portion thereof, of real property acquired by said county through the non-payment of taxes, by entering an order fixing the duration, terms and conditions of such lease. At least thirty (30) days' notice of the time and place where said lands will be offered for lease shall be given by the commissioners by two publications in a weekly newspaper published in the county where such lands are situated."

Senator Duggan assumed the chair.

On motion of Senator Schroeder, the following amendment was adopted:

Amend section 3, line 14 of the printed bill, by striking the number "3" (emergency clause) and substituting in lieu thereof the number "4".

Senator Sieler moved the adoption of the following amendment:

Amend Schroeder amendment by striking period at end and inserting a colon and adding the following:

"Provided, That no such lease shall extend for more than three years but may be renewed for like periods."

Senator Holt moved that Engrossed House Bill No. 146 be indefinitely postponed.

Senator Kyle moved that the motion by Senator Holt be laid on the table.
The motion by Senator Kyle carried.

The Chair announced that the amendment to the amendment offered by Senator Sieler is now before the Senate.

The motion by Senator Sieler to amend the amendment carried.

On motion of Senator Schroeder, the following amendment to the title was adopted:

Amend the title by inserting after the semi-colon (;) in the second line of the printed bill, the following: "authorizing the lease of county real property and validating certain leases;"

The Secretary called the roll on the final passage of Engrossed House Bill No. 146, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Henderson, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McDonald, McMillan, Metcalf, Moe, Morgan, Murfin, Orndorff, Percival, Roberts, Roup, Schroeder, Shorett, Sieler, Stinson, Sullivan, Todd, Troy, Voyce and Wanamaker—35.

Those voting nay were: Senators Holt and Rosellini—2.

Absent or not voting: Senators Bloomer, Farquharson, Haddon, Keller, Klemgard, Mills, Murphy, Reardon and Thomas—9.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

Senator Drumheller moved that, the hour of 12:00 o'clock noon, of Thursday, March 9th, 1939, having arrived, the Senate take a recess for one minute.

The motion carried.

At 12:01 o'clock p. m., the Senate reconvened.

There being no objection, the Senate referred back to the fifth order of business for the purpose of receiving messages from the House.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 98; also

Senate Bill No. 150; also

Senate Bill No. 194; also

Senate Bill No. 204; also

Senate Bill No. 371; also

Senate Bill No. 382; also

Senate Bill No. 408; also

Senate Bill No. 422; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed Representatives Cameron, Wintler and Bienz as House members on the conference committee on Senate Bill No. 374 and the House amendments thereto.

S. R. HOLCOMB, *Chief Clerk.*

MOTION FOR RECONSIDERATION

Senator Sieler moved that the Senate now reconsider the vote by which House Bill No. 343 passed the Senate.

Senator Maxwell moved that the motion by Senator Sieler be laid on the table.

The motion by Senator Maxwell carried.

On motion of Senator Orndorff, the Senate recessed until 8:00 o'clock p. m., this evening.

EVENING SESSION

At 8:00 o'clock p. m., the Senate reconvened, President Meyers in the chair. On motion of Senator Orndorff, the President announced that the Senate would be at ease, subject to the call of the chair.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bills Nos. 215, 226, 227 and 219, have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

Geo. A. LOVEJOY, *Chairman.*

We concur in this report: W. C. Dawson, Monty Percival, A. M. Murfin.

The report was ordered received.

The President signed Senate Bill No. 101, Senate Bill No. 215, Senate Bill No. 219, Senate Bill No. 226 and Senate Bill No. 227.

Senator Reardon assumed the chair.

The Secretary called the roll, all members being present.

President Meyers assumed the chair.

The presentation of gifts by the Senate to the Lieutenant-Governor and his wife was made at this time by Senator Wanamaker.

Senator Malstrom presented a gift by the Senate to the President Pro Tempore Reardon.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 68, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 298, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 541, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 351, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to House Bill No. 312, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 401, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 324, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 342, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 450, and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Sieler moved that the Senate do not recede from the Senate amendment and ask for a conference committee.

The Chair announced that the question before the Senate is on the motion that the Senate refuse to recede.

Senator Reardon moved that consideration of this matter be laid over temporarily.

Senator Drumheller moved that the Senate do not recede and that the Senate ask for a conference committee.

The President announced that the question before the Senate is on the motion that the Senate do not recede and ask for a conference committee.

The motion by Senator Drumheller carried.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 161, and asks the Senate to recede therefrom, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk*.

Senator Sieler moved that the Senate do not recede and ask for a conference committee.

The Chair announced that the question before the Senate is on the motion that the Senate refuse to recede and ask for a conference committee.

The motion by Senator Sieler carried.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 163, and passed the bill as amended by the Senate.
S. R. HOLCOMB, *Chief Clerk*.

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 90, and passed the bill as amended by the Senate.
S. R. HOLCOMB, *Chief Clerk*.

Engrossed Senate Bill No. 113:

The Secretary read:

HOUSE AMENDMENTS TO SENATE BILL

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 113, with the following amendments:

Add three new sections to be known as sections 2, 3 and 4 to be inserted immediately after section 1, ending line 24, page 3 of the engrossed bill, the same being section 1, line 40, page 2 of the printed engrossed bill, and immediately preceding section 2, line 25, page 3 of the engrossed bill, the same being section 2, line 41, page 2 of the printed engrossed bill, to read as follows:

"Sec. 2. That section 5, chapter 180, Laws of 1935, as amended by section 2, chapter 227, Laws of 1937 (section 8370-5, Remington's Revised Statutes), be and the same hereby is amended to read as follows:

"Section 5. For the purposes of this title, unless otherwise required by the context:

"(a) The term 'tax year' or 'taxable year' shall mean either the calendar year, or the taxpayer's fiscal year, when permission is obtained from the tax commission to use a fiscal year in lieu of the calendar year;

"(b) The word 'person' or word 'company,' herein used interchangeably, means any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint-stock company, business trust, municipal corporation, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit or otherwise;

"(c) The word 'sale' means any transfer of the ownership of, or title to, property for a valuable consideration and includes any activity classified as a 'sale at retail' or 'retail sale' under subsection (d) of this section. It includes conditional sale con-

tracts, * * * * and any other contract under which possession of the property is given to the purchaser but title is retained by the vendor as security for the payment of the purchase price. It shall also be construed to include the furnishing of food, drink, or meals for compensation whether consumed upon the premises or not;

“(d) The term ‘sale at retail’ or ‘retail sale’ means every sale of tangible personal property other than a sale to one who purchases for the purpose of resale in the regular course of business or for the purpose of consuming the property purchased in the producing for sale a new article or substance, of which such property is an ingredient or component or a chemical used in processing same. The term ‘sale at retail’ or ‘retail sale’ shall be construed to include: (1) the production, fabrication or printing of tangible personal property for consumers *thereof* upon special order and shall also include the production, fabrication or printing of tangible personal property for consumers *thereof* who furnish either directly or indirectly the materials used in such work * * * *; (2) the installation, cleaning, decorating, beautifying, repairing or otherwise altering or improving the personal property of consumers or for consumers *thereof*; (3) the renting or leasing of tangible personal property; (4) the sale of tangible personal property to persons who use such property in the business of erecting buildings or otherwise improving, altering, or repairing real property of others, or in performing public improvement contracts, irrespective of whether the work is performed by any such persons under lump sum contract, time and material contract, day labor or otherwise. The term shall not be construed to include sales of feed to persons producing for sale, milk, eggs, wool, fur, meat or other substances obtained from livestock, animals or poultry; * * * *

“(e) The term ‘sale at wholesale’ or ‘wholesale sale’ means any sale of tangible personal property which is not a sale at retail;

“(f) The term ‘gross proceeds of sales’ means the value proceeding or accruing from the sale of tangible personal property without any deduction on account of the cost of property sold, the cost of materials used, labor costs, interest, discount paid, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses;

“(g) The term ‘gross income of the business’ means the value proceeding or accruing by reason of the transaction of the business engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds or other evidences of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes or any other expense whatsoever paid or accrued and without any deduction on account of losses;

“(h) The term ‘value proceeding or accruing’ means the consideration, whether money, credits, rights or other property expressed in terms of money, actually received or accrued. The term shall be applied, in each case, on a cash receipts or accrual basis according to which method of accounting is regularly employed in keeping the books of the taxpayer. The tax commission may provide by regulation that the value proceeding or accruing from sales on the installment plan under conditional contracts of sale may be reported as of the dates when the payments become due;

“(i) The word ‘extractor’ means every person who, from his own land or from the land of another under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services, for sale or commercial use, mines, quarries, takes or produces coal, oil, natural gas, ore, stone, sand, gravel, clay, mineral or other natural resources product, or fells, cuts or takes timber or other natural product, or takes, cultivates, or raises fish, shell fish or other sea or inland water foods or products; it does not include persons performing under contract the necessary labor or mechanical services for others;

“(j) The word ‘manufacturer’ means every person who, either directly or by contracting with others for the necessary labor or mechanical services, manufactures for sale or commercial use from his own materials or ingredients any articles, substances or commodities. When the owner of equipment or facilities furnishes, or sells to the customer prior to manufacture, all or a portion of the materials that become a part or whole of the manufactured article, the tax commission shall prescribe equitable rules for determining tax liability;

"(k) The term 'to manufacture' embraces all activities of a commercial nature wherein labor or skill is applied, by hand or machinery, to materials so that as a result thereof a new, different or useful article of tangible personal property or substance of trade or commerce is produced *and shall include the production or fabrication of special made or custom made articles;*

"(l) The term 'commercial use' means the following uses of products by the extractor or manufacturer thereof;

"(1) Manufacturing of articles, substances or commodities from extracted products;

"(2) Leasing or renting of extracted or manufactured products;

"(3) Consigning, shipping or transferring extracted or manufactured products to another either without consideration or in the performance of contracts;

"(4) Any other use of products extracted or manufactured on a commercial scale under such rules and regulations as the tax commission shall prescribe;

"(m) The word 'business' includes all activities engaged in with the object of gain, benefit or advantage to the taxpayer or to another person or class, directly or indirectly;

"(n) The term 'engaging in business' means commencing, conducting or continuing in business and also the exercise of corporate or franchise powers as well as liquidating a business when the liquidators thereof hold themselves out to the public as conducting such business;

"(o) The term 'cash discount' means a deduction from the invoice price of goods or charge for services which is allowed if the bill is paid on or before a specified date;

"(p) The term 'tuition fee' shall be construed to include library, laboratory, health service and other special fees, and amounts charged for room and board by an educational institution when the property or service for which such charges are made is furnished exclusively to the students or faculty of such institution: *Provided*, That the term 'educational institutions', as used herein, shall be construed to mean only those institutions created or generally accredited as such by the state and offering to students an educational program of a general academic nature but not including specialty schools, business colleges, trade schools or similar institutions;

"(q) The word 'successor' means any person who shall, through direct or mesne conveyance, purchase or succeed to the business, or portion thereof, or the whole or any part of the stock of goods, wares * * * * , merchandise or fixtures or any interest therein of a taxpayer quitting, selling out, exchanging or otherwise disposing of his business. *Any person obligated to fulfill the terms of a contract shall be deemed a successor to any contractor defaulting in the performance of any contract as to which such person is a surety or guarantor;*

"(r) The word 'consumer' means any person who purchases, acquires, owns, holds or uses any article of tangible personal property other than for the purpose of resale in the regular course of business or for the purpose of consuming such property in producing for sale a new article or substance of which such property is an ingredient or component or chemical used in processing same. The word 'consumer' includes persons engaged in the business of erecting buildings or improving real property of others, or in performing public improvement contracts and persons engaged in rendering personal and professional services.

"Sec. 3. That section 6, chapter 180, Laws of 1935, as amended by section 3, chapter 227, Laws of 1937 (section 8370-6, Remington's Revised Statutes), be and the same hereby is amended to read as follows:

"Section 6. Every person engaging in activities which are within the purview of the provisions of two or more paragraphs (a), (b), (c), (d), (e), * * * * (f) and (g) of section 4, shall be taxable under each paragraph applicable to the activities engaged in: *Provided, however*, That persons taxable under paragraphs (a) or (b) of said section shall not be taxable under paragraph (d) of said section with respect to making sales at wholesale of products extracted or manufactured within this state by such persons.

"Sec. 4. That chapter 180, Laws of 1935, be amended by adding thereto a new section following section 8 thereof to be designated as section 8(a) and to read as follows:

"Section 8(a). *Any person engaged in the business of rendering services both within and without this state shall, for the purpose of computing tax liability under this title, apportion to this state that portion of his gross income which is derived from services rendered within this state. Where such apportionment cannot be accurately made by separate accounting methods, the taxpayer shall apportion to this state that proportion of his total income which the cost of doing business within the state bears to the total cost of doing business both within and without the state."*

In section 5, lines 28 and 29 of the engrossed bill, being line 29 of the printed bill, after the word "auctioneer" and before the asterisks insert a comma (,) and the following: "except a farm auctioneer conducting a sale of livestock and/or farm implements."

Amend section 6, line 28, page 9 of the engrossed bill, being line 9, page 6 of the printed engrossed bill, by adding thereto a subsection immediately following subsection (d) to be known as subsection (e), to read as follows:

"(e) Sales of motor vehicle fuel taxable under chapter 58 of the Laws of 1933, section 5 (section 8327-5 of Remington's Revised Statutes)."

In section 6 of the bill, as amended, immediately following subsection (e), add a new subsection to be known as subsection (f), to read as follows:

"(f) Sales of materials, equipment, parts or other articles to be used in the construction and repair of any commercial vessel, ship or engaged in interstate or foreign commerce."

Amend section 6, subsection (c), line 25, page 9, of the engrossed bill, being line 7, page 6 of the printed engrossed bill, by striking the whole of subsection (c).

Strike the whole of Sec. 6½, line 1, page 10 of the engrossed bill, the same being Sec. 6½, line 10, page 6 of the printed engrossed bill, and insert in lieu thereof the following section:

"Sec. 6½. That section 16, chapter 180, Laws of 1935 (section 8370-16, Remington's Revised Statutes), be and the same hereby is amended to read as follows:

"Section 16. From and after the first day of May, 1935, there is hereby levied and there shall be collected a tax on each retail sale in this state equal to two per cent of the selling price. *The tax imposed under this title shall include the retail sale of intoxicating liquor by the Washington state liquor stores.*"

Add a new section immediately after section 15, line 22, page 17 of the engrossed bill, the same being section 15, line 11, page 10 of the printed engrossed bill, to be numbered section 15½, to read as follows:

"Sec. 15½. That section 37, chapter 180, Laws of 1935, as amended by section 11, chapter 227, Laws of 1937 (section 8370-37, Remington's Revised Statutes), be and the same hereby is amended to read as follows:

"Section 37. For the purposes of this title, unless otherwise required by the context:

"(a) The term 'railroad business' means the business of operating any railroad, by whatever power operated, for public use in the conveyance of persons or property for hire: *Provided, however,* That it shall not include any business herein defined to be an urban transportation business;

"(b) The term 'express business' means the business of carrying freight, merchandise or property for public hire on the line of any common carrier operated in this state, when such common carrier is not owned or leased by the person engaging in such business;

"(c) The term 'railroad car business' means the business of operating stock cars, furniture cars, refrigerator cars, fruit cars, poultry cars, tank cars, sleeping cars, parlor cars, buffet cars, tourist cars, or any other kinds of cars used for transportation of property or persons upon the line of any railroad operated in this state when such railroad is not owned or leased by the person engaging in such business;

"(d) The term 'water distribution business' means the business of operating a plant or system for the distribution of water for hire or sale;

"(e) The term 'light and power business' means the business of operating a plant or system for the generation, production or distribution of electrical energy for hire or sale;

"(f) The term 'telephone business' means the business of operating or managing any telephone line or part of a telephone line and exchange or exchanges used in the conduct of the business of affording telephonic communication for hire. It includes cooperative or farmer line telephone companies or associations operating an exchange;

"(g) The term 'telegraph business' means the business of affording telegraphic communication for hire;

"(h) The term 'gas distribution business' means the business of operating a plant or system for the production or distribution for hire or sale of gas, whether manufactured or natural;

"(i) The term 'highway transportation business' means the business of operating any motor propelled vehicle, as an auto transportation company (except urban transportation business), common carrier or contract carrier as defined in chapter 111, Laws of 1921, page 338, section 1, and chapter 184, Laws of 1935, page 884, section 2 and amendments thereto, except motor vehicles operated exclusively within the corporate limits of any city or town;

"(j) The term 'urban transportation business' means:

"(1) The business of operating any railroad, or any extension or extensions, branch or branches thereof, for public use in the conveyance of persons or property for hire, being mainly upon, along, above or below any street, avenue, road, highway, bridge or public place primarily within any one city or town. The term shall also include any electric interurban railroad operated primarily for the purpose of transporting passengers: *Provided*, The distance between the terminals of such interurban railroad does not exceed fifty miles;

"(2) The business of operating any motor propelled vehicle for public use in the conveyance of persons, operating within the limits of any city or town or within the limits of contiguous cities or towns. Included herein are such means of conveyance as busses, hotel busses, jitneys, sightseeing busses, taxicabs or any other passenger motor vehicles operated for public hire, if operating entirely within the limits of any city or town, or contiguous cities or towns or within three miles of such limits;

"(k) The term 'public service business' means any business subject to control by the state, or having the powers of eminent domain and the duties incident thereto, or any business hereafter declared to be of a public service nature by the legislature of this state. It includes, among others, without limiting the scope hereof: airplane transportation, boom, dock, ferry, pipe line, public warehouse, toll bridge, toll logging road, water transportation and wharf businesses;

"(l) The term 'gross operating revenue' means the value proceeding or accruing from the performance of the particular public service or transportation business involved, including operations incidental thereto, but without any deduction on account of the cost of the commodity furnished or sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued and without any deduction on account of losses;

"(m) The meaning attributed, in title II of this act, to the words or phrases: 'tax year', 'person', 'value proceeding or accruing', 'business', 'engaging in business', 'cash discount' and 'successor' shall apply equally in the provisions of this title."

Insert a new section after section 26, to be designated section 26½, reading as follows:

"Sec. 26½. That chapter 180, Laws of 1935, as amended by chapters 191 and 227, Laws of 1937 (section .8370-1 to 8370-220, inclusive, Remington's Revised Statutes), be and the same hereby is amended by adding thereto a new title after title XII, to be designated title XIII, reading as follows:

"Title XIII. Tax on Coin-Operated Machines and Devices.

"Section 96. From and after May 1, 1939, there is hereby levied and there shall be collected from every person engaging within this state in the business of operating any pinball machine, slot machine, iron claw machine, traveling crane, or other mechanically or electrically coin-operated machine or device, wherein the element of chance or the element of chance and skill is involved in determining the payout to the player, a tax at the rate of five dollars (\$5.00) for each such machine or device so operated for each calendar month or fraction thereof.

"Section 97. Each person subject to the tax imposed by this title shall, on or before the fifteenth day of the month succeeding the end of the bi-monthly period in which the tax accrued, file a return with the tax commission showing the total number of machines or devices operated during the preceding bi-monthly period or portion thereof, together with such other information as the commission may prescribe, and remit with each such return the amount of tax shown thereby to be due.

"Section 98. The meaning ascribed to words and phrases in titles I, II and III and all of the provisions of titles XVIII, XIX and XX of this act, in so far as applicable, shall have full force and effect with respect to the tax imposed by this title. The term 'engaging within this state in the business of operating' shall, without limiting the meaning ordinarily ascribed to it, include the owning, possessing, leasing, setting up, maintaining, operating or displaying for the commercial operation thereof of any machine or device subject to tax under this title, and without regard to whether or not any such act is wholly incidental to another business activity engaged in by the

taxpayer. The tax imposed by this title shall be in addition to any other tax to which the taxpayer may be subject under the laws of this state. The state does not by this title preempt the field of imposing taxes on machines or devices hereby taxed and this title shall not be construed to bar counties and incorporated cities and towns from regulating, licensing or taxing any such machines or devices."

In section 27, line 23, page 31 of the engrossed bill, the same being line 34, page 17 of the printed engrossed bill, strike the comma (,) after the parenthesis following the word "Statutes" and before the word "be" and insert in lieu thereof the following words: "and chapter 9, Laws of 1939".

In section 27, line 24, page 31 of the engrossed bill, the same being line 34, page 17 of the printed engrossed bill, strike the word "is" after the word "hereby" and before the word "repealed" and insert in lieu thereof the word "are".

Re-number section 2, line 25, page 3 of the engrossed bill, being line 41, page 2 of the printed engrossed bill, so that the same shall be designated section 5, and re-number all of the succeeding sections accordingly.

Strike the entire title and insert in lieu thereof the following:

"An Act relating to taxation; amending sections 4, 5, 6, 11, 15(a), 16, 17, 18, 19, 21, 25, 27, 31, 32, 34, 35, 36, 37, 45, 47, 82, 84, 87, 89, 188, 193, 199, 210(a) and 219 of chapter 180, Laws of 1935 (sections 8370-4, 8370-5, 8370-6, 8370-11, 8370-15(a), 8370-16, 8370-17, 8370-18, 8370-19, 8370-21, 8370-25, 8370-27, 8370-31, 8370-32, 8370-34, 8370-35, 8370-36, 8370-37, 8370-45, 8370-47, 8370-82, 8370-84, 8370-87, 8370-89, 8370-188, 8370-193, 8370-199, 8370-210(a) and 8370-219, Remington's Revised Statutes), as amended by chapter 191, Laws of 1937, and chapter 227, Laws of 1937; repealing section 8 of chapter 180, Laws of 1935 (section 8370-8, Remington's Revised Statutes), and chapter 9, Laws of 1939; adding two new sections to chapter 180, Laws of 1935, to be designated sections 8-a and 33 thereof; adding a new title to said chapter 180, Laws of 1935, to be designated title XIII thereof, imposing a tax with respect to the operation of certain coin-operated machines and devices and providing for the collection and enforcement thereof; and declaring an emergency whereby the act shall take effect May 1, 1939.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Murfin moved that the Senate do not concur in the House amendments, and that the House be asked to recede therefrom.

The motion by Senator Murfin carried.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 146, and asks the Senate to recede therefrom; and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Kyle moved that the Senate do recede from the Senate amendments to Engrossed House Bill No. 146.

Senator Schroeder moved that the Senate do not recede from the Senate amendments to Engrossed House Bill No. 146.

Senators Kyle, Farquharson and Malstrom demanded the previous question.

The previous question was ordered.

The Chair announced that the question before the Senate is on the motion that the Senate do recede from the Senate amendments to Engrossed House Bill No. 146.

The motion by Senator Kyle was declared lost.

Senator Sieler moved that the Senate do not recede from the Senate amendments to Engrossed House Bill No. 146, and that the House be asked for a conference committee thereon.

The Chair announced that the question before the Senate is on the motion that the Senate do not recede from the Senate amendments to Engrossed House Bill No. 146, and that the House be asked for a conference committee thereon.

The motion by Senator Sieler carried.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has refused to recede from its amendments to Engrossed Senate Bill No. 48, and asks the Senate for a conference thereon. S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Drumheller, the request for a conference was granted.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has refused to recede from its amendments to Engrossed Senate Bill No. 213, and asks the Senate for a conference thereon. S. R. HOLCOMB, *Chief Clerk*.

Senator Drumheller moved that the request of the House for a conference be granted.

Senator Wanamaker moved that the Senate do concur in the House amendment to Engrossed Senate Bill No. 213.

Senator Drumheller moved that the motion by Senator Wanamaker be laid on the table.

The President announced that the motion by Senator Wanamaker was out of order, and that the question now before the Senate is on the motion by Senator Drumheller.

The motion by Senator Drumheller carried.

The Senate was declared at ease, subject to the call of the Chair.

The Senate was called to order by President Meyers.

The President announced that, subject to confirmation, the Chair would make the following conference committee appointments.

APPOINTMENT OF CONFERENCE COMMITTEES

Engrossed Senate Bill No. 48:

The President appointed as members of a conference committee on Engrossed Senate Bill No. 48 and House amendments thereto, Senators McMillan, Morgan and Copeland.

On motion of Senator Drumheller, the committee appointment was confirmed.

Engrossed Senate Bill No. 213:

The President appointed as members of a conference committee on Engrossed Senate Bill No. 213, and the House amendments thereto, Senators Duggan, Kyle and Wanamaker.

On motion of Senator Drumheller, the committee appointment was confirmed.

The President stated that the Senate would be at ease, subject to the call of the Chair.

The Senate was called to order by President Pro Tempore Reardon.

The Secretary called the roll, all members being present.

President Meyers assumed the chair.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has refused to adopt the report of the conference committee on Senate Bill No. 374, and has directed the committee to bring in another report, and the rejected report of the conference committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Senate Bill No. 374, entitled: "An Act relating to the prevention of congenital syphilis; to take effect January 2, 1940.", have had the same under consideration, and we recommend that the House recede from its amendments to the bill.

Senate Members:

J. W. HENDERSON
KATHRYN E. MALSTROM
LULU D. HADDON

House Members:

DR. W. G. CAMERON
THOS. H. BIENZ
ELLA WINTLER

On motion of Senator Kyle, the conference committee on Senate Bill No. 374 was authorized to bring in another report.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to House Bill No. 175, and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Ferryman moved that the Senate do recede from Senate amendments to House Bill No. 175.

The motion by Senator Ferryman failed to carry.

Senator Maxwell moved that the Senate do not recede and that the House be asked for a conference on House Bill No. 175.

The President announced that, there being no objection, the motion by Senator Maxwell is declared carried.

Engrossed Senate Bill No. 72:

On motion of Senator Drumheller, consideration of the House amendments to Engrossed Senate Bill No. 72 was ordered deferred.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 433, with the following amendments:

In section 2, page 2, line 23 of the engrossed bill, being page 2, line 14 of the printed bill, strike the figures "\$115,893.93" and insert in lieu thereof the figures "\$115,863.93".

In section 2, page 3, line 15 of the engrossed bill, being page 2, line 31 of the printed bill, after the word "Fund" insert the figures "\$158,559.21" and strike the figures "\$620,498.23".

In section 2, page 3, line 20 of the engrossed bill, being page 2, line 33 of the printed bill, strike the figures "\$458,559.21" in the first column of figures, and insert the figures "\$458,559.21" in the second column of figures.

In section 2, page 3, strike lines 27, 28, 29 and 30 of the engrossed bill, being page 2, lines 39 and 40 of the printed bill.

In section 2, page 4, line 5 of the engrossed bill, being page 2, line 44 of the printed bill, strike the figures "\$347,543.80" and insert in lieu thereof the figures "\$188,984.59".

In section 2, page 4, following line 10 of the engrossed bill, being page 3, following line 3 of the printed bill, insert the following: "From the General Fund."

In section 2, page 4, strike lines 29 to 32, inclusive, and on page 5, lines 1 to 17, inclusive, of the engrossed bill, being page 3, lines 18 to 34, inclusive, of the printed bill.

In section 2, page 6, strike lines 10 to 20, inclusive, of the engrossed bill, being page 4, lines 6 to 16, inclusive, of the printed bill.

In section 2, page 6, line 21 of the engrossed bill, being page 4, line 17 of the printed bill, strike the words "For Judgments" and insert the words "From the General Fund".

In section 2, page 6, line 22 of the engrossed bill, being page 4, line 18 of the printed bill, strike the words "From the General Fund.", and insert in lieu thereof the words "For Judgments".

In section 2, page 9, line 31 of the engrossed bill, being page 5, line 38 of the printed bill, strike the line under the figures "\$106.30" and strike the figures "\$6,213.30".

In section 2, page 10, strike lines 1 to 12, inclusive, of the engrossed bill, being page 5, lines 39 to 44, inclusive, and page 6, lines 1 to 5, inclusive, of the printed bill.

In section 2, page 11, line 14 of the engrossed bill, being page 6, line 29 of the printed bill, strike the underline and the figures "\$46,359.06".

In section 2, page 11, line 17 of the engrossed bill, being page 6, line 32 of the printed bill, strike the colon (:) after the word "follows" and insert in lieu thereof a comma (,) and add the following: "Provided, That the payments for local improvement assessments from the following appropriations shall be made only in accordance with the terms and provisions of section 8129, Remington's Revised Statutes."

In section 2, page 11, lines 21 and 22 of the engrossed bill, being page 6, lines 35 and 36 of the printed bill, strike the following: "75, 87, 95, 126, 274, 388, 397 and 416.... \$12,927.78", and insert in lieu thereof the following: "75, 95, 126 and 274.....\$663.63".

In section 2, page 12, line 29 of the engrossed bill, being page 7, line 26 of the printed bill, following the word "Methow", insert the word "Valley".

In section 2, page 13, line 9 of the engrossed bill, being page 7, line 34 of the printed bill, following the word "No.", strike the figure "7" and insert in lieu thereof the figure "3".

In section 2, page 13, following line 12 of the engrossed bill, being page 7, following line 36 of the printed bill, add the following: "Local Improvement Assessments against State lands (state fair grounds) lying in section 29, township 13, range 19, Dike District No. 1, Yakima County, for the years 1928 to 1938 inclusive..... \$41.38

"Local Improvement Assessments (Moxee Road) against state lands (state fair grounds) lying in section 29, township 13, range 19, for the years 1931 and 1932.. \$36.85"

In section 2, page 13, line 16 of the engrossed bill, being page 7, line 41 of the printed bill, following the word "Summitview" insert the word "Cowiche".

In section 2, page 13, line 29, of the engrossed bill, being page 8, line 7 of the printed bill, strike the underline and the figures "\$50.65" and insert in lieu thereof the figures "\$50.63".

In section 2, page 13, line 29 of the engrossed bill, being page 8, line 7 of the printed bill, strike the figures "\$68,512.39".

In section 2, page 14, line 7 of the engrossed bill, being page 8, line 12 of the printed bill, strike the underlineation and the figures "\$100,500.00".

In section 2, page 14, following line 7 of the engrossed bill, being page 8, following line 12 of the printed bill, add the following: "For installation of electrical amplification system, chimes and organ for dome of legislative building..... \$3,200.00"

In section 2, page 14, line 17, of the engrossed bill, being page 8, line 20, of the printed bill strike the word "(To insure Federal Funds)" and insert in lieu thereof the following: "(To become available only in the event that this appropriation is necessary to secure additional funds provided by the Federal Government for use of the library)."

In section 2, page 14, following line 17 of the engrossed bill, being page 8, following line 20 of the printed bill, insert the following:

"FROM THE GENERAL FUND"

"FOR THE WASHINGTON STATE PROGRESS COMMISSION:"

"For capital outlay, operations and maintenance of state's exhibits at the Golden Gate International Exposition and New York World's Fair; for salaries and wages in connection therewith; for exhibits at World's Poultry Congress; for exhibit at National Dairy Show \$82,500.00"

In section 2, page 15, strike lines 1 and 2 of the engrossed bill, being page 8, line 31 of the printed bill.

In section 2, page 15, strike lines 10 to 27, of the engrossed bill, being page 8, lines 36 to 44, and lines 1 and 2, page 9 of the printed bill.

In section 2, page 16, line 15 of the engrossed bill, being page 9, line 14 of the printed bill, strike the word "Marford" and insert in lieu thereof the word "Morford".

In section 2, page 16, line 22 of the engrossed bill, being page 9, line 21 of the printed bill, strike the line under the figures "\$117.59" and strike the figures "\$1,915.03"

In section 2, page 18, line 1 of the engrossed bill, being page 10, line 5 of the printed bill, strike the figures "\$16.75" and insert in lieu thereof the figures "\$8.40".

In section 2, page 18, line 13 of the engrossed bill, being page 10, line 13 of the printed bill, strike the letter "L" and insert the letter "P" following the word "Henry".

In section 2, page 21, line 20 of the engrossed bill, being page 11, line 37 of the printed bill, strike the word "Co." and insert in lieu thereof the letter "C".

In section 2, page 21, strike lines 27, 28 and 29 of the engrossed bill, being page 11, lines 41 and 42 of the printed bill.

In section 2, page 22, line 2 of the engrossed bill, being page 12, line 1 of the printed bill, strike the underlineation and the figures "\$592.57".

In section 2, page 22, line 7 of the engrossed bill, being page 12, line 5 of the printed bill, strike the word "Decket" and insert in lieu thereof the word "Decker".

In section 2, page 22, strike lines 11, 12, 13 and 14 of the engrossed bill, being page 12, lines 8, 9 and 10 of the printed bill.

In section 2, page 22, line 18 of the engrossed bill, being page 12, line 13 of the printed bill, strike the figures "\$4828.49" and insert in lieu thereof the figures "\$33.50".

In section 2, page 23, strike lines, 1, 2, 3, 4 and 5 of the engrossed bill, being page 12, lines 23, 24 and 25 of the printed bill.

In section 2, page 23, strike lines 21, 22 and 23 of the engrossed bill, being page 12, lines 36 and 37 of the printed bill.

In section 2, page 24, strike lines 2, 3, 4 and 5 of the engrossed bill, being page 13, lines 1, 2 and 3 of the printed bill.

In section 2, page 26, line 3 of the engrossed bill, being page 13, line 44 of the printed bill, strike the figures "\$838.79" and insert in lieu thereof "\$838.78".

In section 2, page 26, strike lines 4, 5 and 6 of the engrossed bill, being page 14, lines 1 and 2 of the printed bill.

In section 2, page 26, line 19 of the engrossed bill, being page 14, line 11 of the printed bill, strike the word "Long" and insert in lieu thereof the word "Lang".

In section 2, page 26, line 26 of the engrossed bill, being page 14, line 16 of the printed bill, strike the word "McKinley" and insert in lieu thereof the word "McKinney".

In section 2, page 27, line 8 of the engrossed bill, being page 14, line 27 of the printed bill, following the letters "tion" insert the word "truck".

On page 14, line 41, of the printed bill, strike the word "Layne" and insert in lieu thereof the word "Payne".

In section 2, page 27, strike lines 9, 10, 11, 12 and 13 of the engrossed bill, being page 14, lines 28, 29, 30 and 31 of the printed bill.

In section 2, page 29, following line 6 of the engrossed bill, being page 15, following line 25 of the printed bill, insert the following:

"Taylor, Ruth, refund of unused beauty school license fee.....	\$136.44
Tieton Water Users Association, water assessments for the years 1937 and 1938 against state land in the Yakima-Tieton Irrigation Project.....	\$2,280.85
Underwood Elliott Fisher Co., supplies furnished Department of Finance, Budget and Business in previous biennium.....	\$183.45
United Gas Corp. of Washington, refund of corporation license fee for the year 1935	\$10.00
Vita-Min-Pro-Ducts Company, supplies furnished Western State Hospital in previous biennium	\$7.43
Young, J. C., refund of unclaimed dividend from liquidation of the Scandinavian- American Bank of Seattle.....	\$9.66
Zindorf, Edward L. and Cedric, refund of overpayment of inheritance tax on the the estate of Helen J. Zindorf.....	\$38.00

FROM THE PENITENTIARY REVOLVING FUND

Tum-a-lum Lumber Co., supplies furnished Washington State Penitentiary in previous biennium	\$45.36
United Shoe Machinery Corp., supplies and services furnished Washington State Penitentiary in previous biennium.....	\$17.45

FROM THE MOTOR VEHICLE FUND

In section 2, page 29, line 11 of the engrossed bill, being page 15, line 29 of the printed bill, strike the word "Lawson" and insert in lieu thereof the word "Lawton".

In section 2, page 31, line 14 of the engrossed bill, being page 16, line 37 of the printed bill, strike the underlineation and the figures "\$12,208.13".

In section 2, page 31, line 18 of the engrossed bill, strike the underlineation.

In section 2, page 31, line 19 of the engrossed bill, strike the figures "\$5,741.15".

In section 2, page 31 strike lines 24, 25 and 26 of the engrossed bill, being page 16, line 41 and page 17, lines 1 and 2 of the printed bill.

In section 2, lines 13, 14, 15 and 16, page 32 of the engrossed bill, being lines 16 and 17, page 17 of the printed bill, strike the words, "For the retirement of delinquent Thurston County road bonds Nos. 398 to 577," and insert in lieu thereof the following: "For the relief of the State Finance Committee as full payment of both principal and interest and the retirement of delinquent Thurston County road bonds Nos. 398 to 577, such deduction to be made from the gross motor vehicle fuel tax accrual in the same manner as the deduction is made for the general bond issue of 1933 retirement fund."

In section 2, following line 16, page 32 of the engrossed bill, being line 17, page 17 of the printed bill, add the following:

Austin, A. W., damages to automobile sustained in collision with highway equip- ment January 4, 1939.....	\$28.86
Brown, M. A. and Harriet, damages to automobile in accident with highway equipment July 28, 1937.....	\$164.19
Domerude Brothers, refund of tax on 335 gallons of gasoline.....	\$16.75
Hagglund, Levoy, damages to automobile in accident with highway equipment Dec. 4, 1937.....	\$44.31
FOR THE STATE TREASURER:	
Salaries and Wages.....	\$4,000.00

FROM THE GAME FUND

Cook, Silas, property damages sustained as a result of certain orders of the Game Commission and its agents.....	\$2,500.00
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FROM THE FISHERIES FUND

For the Relief of James Hepburn, et al.,.....	\$300.00
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FROM THE HIGHWAY SAFETY FUND

Terry, Mrs. Georgea,

For three minor children, compensation for loss by death of their father, Ruder Terry, to be paid to the legally appointed guardian of said children and disbursed under Superior Court order for the support of said children, in full settlement..... \$6,000.00

FOR THE DEPARTMENT OF LICENSES:

To carry out the provisions of Senate Bill No. 25.....\$50,000.00

FROM THE GENERAL FUND

FOR THE DEPARTMENT OF LICENSES:

To carry out the provisions of Senate Bill No. 213.....\$25,000.00

FOR THE UNIVERSITY OF WASHINGTON:

To train the teachers of physically and mentally handicapped children in such manner as is required by the State Board of Education in carrying out the provisions of chapter 179, Laws of 1937.....\$12,000.00

Brown, George, damages suffered in connection with the destruction of earwigs by the Bureau of Earwig Control, in full settlement..... \$6,000.00

Payton, Marie, compensation for her son, Dealo Payton, for sickness and injuries suffered in line of duty while a member of the National Guard..... \$1,000.00

Gibson, Addie, for loss of her husband, Israel Gibson, due to collision with truck owned by the Department of Social Security..... \$2,500.00

FOR THE STATE TREASURER:

Salaries and Wages.....\$4,215.00

FROM THE PUBLIC SERVICE REVOLVING FUND

FOR THE DEPARTMENT OF PUBLIC SERVICE:

To carry out the provisions of House Bill No. 535.....\$300,000.00

In section 2, at the end thereof, add the following: "There is hereby appropriated from the general fund two thousand five hundred dollars (\$2,500.00) or so much thereof as may be necessary to carry out the terms and provisions of chapter 154 of the Laws of 1935."

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Drumheller, the Senate refused to concur in the House amendments to Senate Bill No. 433, and asked the House to recede therefrom.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 467, with the following amendment:

In Section 2, line 13, page 1 of the engrossed bill, being line 2 of the Senate amendment to section 2, strike the words "cities and towns" and insert in lieu thereof the following: "cities, towns, county hospitals of the first class".

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Wanamaker moved that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 467, and that the House be asked to recede therefrom.

The motion by Senator Wanamaker carried.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has refused to recede from its amendments to Engrossed Senate Bill No. 113, and asks the Senate for a conference thereon. S. R. HOLCOMB, *Chief Clerk*.

The Chair announced that, there being no objection, the request for the appointment of a conference committee on Engrossed Senate Bill No. 113 and the amendments thereto, was granted; and the President appointed Senators Murfin, Reardon and Orndorff as the conference committee.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 241, with the following amendment:

In section 3, page 3, lines 7 and 8 of the engrossed Senate bill, being line 24 of the printed bill, after the word "forthwith" strike the remainder of the sentence and insert in lieu thereof a colon (:) and the following: "Provided, There is filed with the petition the written waiver of the parent or parents of the person to be adopted." S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Duggan, the Senate concurred in the House amendment to Engrossed Senate Bill No. 241.

The Chair announced that Engrossed Senate Bill No. 241 is now on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 241, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Henderson, Holt, Keeler, Keller, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, McDonald, McMillan, Mills, Moe, Murfin, Percival, Reardon, Rosellini, Roup, Stinson, Sullivan, Thomas, Todd, Voyce and Wanamaker—32.

Absent or not voting: Senators Farquharson, Haddon, Klemgard, Maxwell, McAulay, Metcalf, Morgan, Murphy, Orndorff, Roberts, Schroeder, Shorett, Sieler and Troy—14.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 427, with the following amendments:

In section 1, line 3, page 2 of the engrossed bill, being line 17, page 1 of the printed bill, after the comma (,) following the word "services" and before the word "aid" insert the following: "other handicapped persons."

In section 4, line 24, page 3 of the engrossed bill, being line 40, page 2 of the printed bill, after the word "administrator" and before the word "who" insert a comma (,) and the following: "who has been a resident of their respective county for two years prior to receiving said appointment and,".

In section 4, line 1, page 4 of the engrossed bill, being line 2, page 3 of the printed bill, after the word "committee" strike the period (.) and insert in lieu thereof a colon (:) and add the following: "Provided, That this requirement shall not apply to the filling of non-executive positions."

In section 5, line 9, page 4 of the engrossed bill, being line 8, page 3 of the printed bill, after the word "with" and before the word "responsibility" strike the word "entire" and insert in lieu thereof the word "the".

Amend section 13, line 25, page 9 of the engrossed bill, being line 10, page 6 of the printed bill, by adding thereto a new sentence to read as follows: "In programs of services to youth the department is empowered to enter into cooperative agreements for joint operation of such programs with Federal agencies including the National Youth Administration and with school districts and their local agencies."

In section 17, line 19, page 10 of the engrossed bill, being line 30, page 6 of the printed bill, after the word "decision" and before the word "and" insert a colon (:) and the following: "Provided, That if at the end of the forty-five day period the application has not been approved because of inability to establish age, the application shall still be considered as pending,".

In section 17, page 11, line 6 of the engrossed bill, being page 6, line 44 of the printed bill, following the comma (,) after the word "applicant" and before the word "and" insert the following: "livestock not exceeding \$150 in value,".

In section 22, line 17, page 14 of the engrossed bill, being line 34, page 8 of the printed bill, after the word "be" strike the remainder of the sentence and insert in lieu thereof the following: "had by appellant."

In section 22, line 24, page 14 of the engrossed bill, being line 39, page 8 of the printed bill, strike the period (.) following the word "entitled" and add the following: "under this act."

In section 24, line 20, page 15 of the engrossed bill, being section 24, lines 14 and 15, page 9 of the printed bill, after the word "department" and before the word "may" strike the words "or the administrator".

In section 24, page 15, line 24 of the engrossed bill, being page 9, line 18 of the printed bill, after the period (.) following the word "administration" strike the balance of the matter down to and including the period (.) following the word "granted" in line 27 of the original bill, being line 20 of the printed bill.

In section 31, line 17, page 17 of the engrossed bill, being line 23, page 10 of the printed bill, after the comma (,) following the figures "1937" and before the word "and" insert the following: "excepting Section 11."

Amend the bill by adding thereto five new sections immediately following section 30, to be known as sections 31, 32, 33, 34 and 35, to read as follows:

"Sec. 31. There is hereby created a Washington Welfare Survey Commission, hereinafter called the Commission, of five members to be appointed by the Governor from among the qualified electors of the state, none of whom shall hold any compensated public office under the state or federal governments. Each member of the Commission shall hold office and be removable at the pleasure of the Governor and shall serve until his or her successor is duly appointed and qualified. The members of the Commission shall serve without compensation but may be reimbursed for actual expenses necessarily incurred in the performance of their duties, such reimbursement to be by itemized voucher of the State Auditor certified and approved by the Chairman of the Commission.

"Sec. 32. The Commission, upon the appointment of its members, shall meet at the State Capitol and organize by the election of one of its members as Chairman and one as Secretary of the Commission.

"Sec. 33. The duties of the Commission shall consist of a survey of the facts involved in the whole problem of public assistance in the State of Washington, including the nature and extent of need as defined herein in the several categories of assistance provided in this act, various methods properly to be employed in determining the eligibility for and the granting of public assistance, probable future costs of assistance hereunder, and of the resources available and to become available from federal aid, the state and the counties therefor.

"The Commission shall give consideration to the activities and requirements of the various federal and county agencies and other state departments which deal with related problems. The Commission, from time to time, shall report its findings to the Governor and make such recommendations thereon as it deems advisable and, on or before December 1 of each year, submit to the Governor its report of findings and recommendations, which report shall constitute public records.

"Sec. 34. For its purposes, the Commission is empowered to examine the records of the Department of Social Security and of the several counties, and the Director of Social Security, the county administrators of the several counties and all other state and county departments and agencies shall make available all such information desired by the Commission.

"Sec. 35. The Commission may employ such clerical and other assistance and personnel and incur such other expenses as may be necessary to enable it to carry out the power and duties herein granted and imposed. It shall prepare and submit to the Director of Social Security, quarterly, a budget covering its anticipated expenses for the succeeding quarter, which budget, when approved by the Governor, shall constitute the items incurred thereunder for administrative expenses of the Department of Social Security, for the payment of which the State Auditor shall draw warrants payable from funds appropriated for the Department of Social Security."

Amend the bill—strike the whole of section 27 and renumber the remaining sections consecutively.

Amend the bill—renumber the sections to read consecutively.

In line 12 of the title of the engrossed bill, being line 8 of the title of the printed bill, after the figures "1937" and before the word "and" insert the following: "excepting section 11,".

In line 12 of the title of the engrossed bill, being line 8 of the title of the printed bill, after the semicolon (;) following the word "appropriations" and before the word "repealing" insert the following: "creating the Washington Welfare Survey Commission, defining its powers and duties and providing for its expenses;" and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Koontz, the Senate concurred in all of the amendments to Engrossed Senate Bill No. 427 with the exception of the House amendment to section 4, line 1, page 4 of the engrossed bill, being line 40, page 2 of the printed bill.

Senator Koontz moved that the Senate refuse to concur in the House amendment to Engrossed Senate Bill No. 427, amending section 4, line 1, page 4 of the engrossed bill, being line 40, page 2 of the printed bill, and ask the House to recede therefrom.

Senator Reardon moved that the Secretary be instructed to mimeograph copies of Engrossed Senate Bill No. 427, and that a copy be sent to each member of the Legislature.

Senator Sieler moved that Engrossed Senate Bill No. 427 be printed instead of mimeographed.

Senator Thomas moved that 200 copies of Engrossed Senate Bill No. 427 be made.

Senators Drumheller, Keeler and Orndorff demanded the previous question.

The previous question was ordered.

The Chair announced that the question before the Senate is on the motion by Senator Koontz that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 427, amending section 4, line 1, page 4 of the engrossed bill, being line 40, page 2 of the printed bill, and that the House be asked to recede therefrom.

The motion by Senator Koontz carried.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 23; also Engrossed Senate Bill No. 78; also Engrossed Senate Bill No. 116; also Engrossed Senate Bill No. 120; also Senate Bill No. 272; also Senate Bill No. 319; also Engrossed Senate Bill No. 361; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed Representatives Hurley (Joseph E.), Van Dyk and Lindsay as House members on the conference committee on Engrossed Senate Bill No. 213 and the House amendments thereto.

S. R. HOLCOMB, *Chief Clerk.*

Engrossed Senate Bill No. 161:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 161 with the following amendment: Amend the bill—strike the period (.) at the end of section 1 and insert in lieu thereof a semicolon (;) and add the following: "and where property of the district located within a city or town is equal in value to $\frac{1}{3}$ of the value of the property of the entire district, as determined by the last assessment for general taxes, one member of the governing body of the city or town to be selected by the governing body shall be ex-officio a director and two members of the Board of County Commissioners to be selected by the Board of County Commissioners shall be ex-officio directors; and where property of the district located within the city or town is equal in value to $\frac{2}{3}$ of the value of the property of the entire district, as determined by the last assessment for general taxes, two members of the governing body of the city or town to be selected by the governing body, shall be ex-officio directors, and one of the members of the Board of County Commissioners to be selected by the Board of County Commissioners shall be ex-officio a director.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Maxwell moved that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 161 and that the House be asked to recede therefrom.

Senator Morgan moved that the Senate do concur in the House amendment to Engrossed Senate Bill No. 161.

The Chair announced that the question before the Senate is on the motion by Senator Morgan, that the Senate do concur in the House amendment to Engrossed Senate Bill No. 161.

The motion by Senator Morgan failed to carry.

The Chair announced that the question before the Senate is on the motion by Senator Maxwell, that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 161 and that the House be asked to recede therefrom.

The motion by Senator Maxwell carried.

Engrossed Senate Bill No. 71:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 71 with the following amendments: In section 3, page 1, line 14 of the engrossed Senate bill, being line 8 of the printed bill, after the period (.) following the figure "3" strike all of the matter down to and including the word "That" in page 1, line 28, of the engrossed Senate bill, being line 18 of the printed bill.

In section 3, page 1, line 28 of the engrossed Senate bill, being page 1, line 18 of the printed bill, after the word "That" and before the word "non-resident" strike the word "a" and insert in lieu thereof the word "A".

In section 4, lines 8 and 9, page 2 of the engrossed bill, being lines 25 and 26, page 1 of the printed bill, after the comma (,) following the word "applicants" strike the following: "appearing personally before the county auditor or duly authorized deputy;" and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Wanamaker, the Senate concurred in the amendments to Engrossed Senate Bill No. 71.

The Chair announced that Engrossed Senate Bill No. 71 is now on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 71, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Keeler, Kerstetter, Koontz, Kyle, Lovejoy, Malstrom, Maxwell, McDonald, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Rosellini, Roup, Schroeder, Sieler, Sullivan, Todd, Voyce and Wanamaker—33.

Absent or not voting: Senators Bloomer, Keller, Klemgard, McAulay, McMillan, Metcalf, Murphy, Reardon, Roberts, Shorett, Stinson, Thomas and Troy—13.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 450:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on Engrossed House Bill No. 450, and the Speaker has appointed Representatives Hurley (John R.), Cowen and McDonald as House members of the conference committee thereon.

S. R. HOLCOMB, *Chief Clerk.*

The President appointed as Senate members of the conference committee on Engrossed House Bill No. 450, and Senate amendments thereto, Senators Shorett, Drumheller and Edwards.

MOTION FOR RECONSIDERATION

Senator Kerstetter moved that the Senate reconsider the vote by which the Senate refused to recede from its amendmnts to House Bill No. 175.

Senators Malstrom, Voyce and Kyle demanded the previous question.

The previous question was ordered.

The Chair announced that the question before the Senate is on the motion by Senator Kerstetter, that the Senate reconsider the vote by which the Senate refused to recede from its amendments to House Bill No. 175.

The vote being 13 yeas and 13 nays, the President cast the deciding vote and voted nay.

Senators Malstrom, Voyce and Kyle demanded a call of the Senate.

The demand for a call of the Senate was not sustained.

Senator Murfin moved that consideration of the Senate amendments to House Bill No. 175 be deferred.

Senator Malstrom moved that the motion by Senator Murfin be laid on the table.

The motion by Senator Malstrom failed to carry.

Senator Kyle moved that the Senate recede from the Senate amendment to House Bill No. 175.

The motion by Senator Kyle failed to carry.

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 394, and the same is herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Senate Bill No. 304; also
Senate Bill No. 438; and the same are herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 73; also
Engrossed Senate Bill No. 76; also
Senate Bill No. 178; also
Senate Bill No. 190; also
Engrossed Senate Bill No. 242; also
Senate Bill No. 366; also
Engrossed Senate Bill No. 395; also
Senate Bill No. 396; also
Senate Bill No. 448; also
Senate Bill No. 456; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Engrossed House Bill No. 450:

The Secretary read:

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 450, entitled: "An Act making appropriations for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices, for the purchase and improvement of land, the construction of buildings and improvements for the various state institutions designated and mentioned, and for emergencies, and for refunds, and for sundry civil expenses of the state government, and for public assistance, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, and declaring that this act shall take effect immediately.", have had the same under consideration, and we report that we are unable to agree and ask for the powers of free conference.

Senate Members

JUDSON W. SHORETT
JOSEPH DRUMHELLER
A. E. EDWARDS

House Members

JOHN R. HURLEY
DAVID C. COWEN
J. D. McDONALD

On motion of Senator Orndorff, the report of the conference committee was adopted, and the powers of free conference were granted.

Engrossed House Bill No. 146:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on Engrossed House Bill No. 146, and the Speaker has appointed Representatives Mackie, Kinnear (George C.), and Chervenka as House members of the Conference Committee thereon.

S. R. HOLCOMB, *Chief Clerk.*

Engrossed House Bill No. 161:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on Engrossed House Bill No. 161, and the Speaker has appointed Representatives Fry, Moulton and Vane as House members of the conference committee thereon.

S. R. HOLCOMB, *Chief Clerk.*

Senator Reardon assumed the chair.

Engrossed House Bill No. 145:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has laid on the table Engrossed House Bill No. 145, as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 101; also Senate Bill No. 215; also Substitute Senate Bill No. 219; also Senate Bill No. 226; also Senate Bill No. 227; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Engrossed Senate Bill No. 48:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed Representatives Reilly (Edward J.), Twidwell and Egbert as House members of the conference committee on Engrossed Senate Bill No. 48, and the House amendments thereto.

S. R. HOLCOMB, *Chief Clerk.*

Engrossed Senate Bill No. 113:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed Representatives Jones (John R.), Kinnear (Roy C.) and Payne as the House members of the conference committee on Engrossed Senate Bill No. 113, and the House amendments thereto.

S. R. HOLCOMB, *Chief Clerk.*

Senate Bill No. 387:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has indefinitely postponed Senate Bill No. 387, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Engrossed Senate Bill No. 8:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has indefinitely postponed Engrossed Senate Bill No. 8, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Engrossed Senate Bill No. 467:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has refused to recede from its amendments to Engrossed Senate Bill No. 467, and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Kerstetter, the request of the House for a conference was granted.

Engrossed House Bill No. 450:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed House Bill No. 450, and has granted the committee the powers of free conference.

S. R. HOLCOMB, *Chief Clerk*.

Engrossed Senate Bill No. 433:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Senate Bill No. 433, and asks the Senate for a conference thereon.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Orndorff, the request of the House for a conference was granted.

The President appointed as members of the conference committee on Engrossed Senate Bill No. 433, and the House amendments thereto, Senators Shorett, Klemgard and Drumheller.

On motion of Senator Maxwell, the committee appointment was confirmed.

Senate Bill No. 374:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Senate Bill No. 374, and has granted the powers of free conference to the said committee, and the report of the conference committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Senate Bill No. 374, entitled: "An Act relating to the prevention of congenital syphilis; to take effect January 2, 1940.", have had the same under consideration, and we are unable to agree and ask that the powers of free conference be granted.

Senate Members

J. W. HENDERSON
KATHRYN E. MALSTROM
LULU D. HADDON

House Members

DR. W. G. CAMERON
THOS. H. BIENZ
ELLA WINTLER

On motion of Senator Henderson, the powers of free conference were granted on Senate Bill No. 374.

Engrossed House Bill No. 161:

The Secretary read:

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 161, entitled: "An Act relating to the employment of aliens in public offices or upon public works, and prescribing penalties.", have had the same under consideration, and we recommend that the House concur in the Senate amendments thereto.

Senate Members

MARY FARQUHARSON
JOE L. KEELER
HAROLD P. TROY

House Members

W. NEWTON FRY
MARK M. MOULTON
Z. A. VANE

On motion of Senator Farquharson, the report of the conference committee was adopted.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 184; also House Bill No. 191; also House Bill No. 268; also House Bill No. 287; also House Bill No. 561; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.***Engrossed Senate Bill No. 433:**

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed as members of the conference committee on Engrossed Senate Bill No. 433, Representatives Hurley (John R.), Finucane and Swegle.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 163; also
House Bill No. 235; also
House Bill No. 259; also
House Bill No. 298; also
House Bill No. 312; also
House Bill No. 314; also
House Bill No. 342; also
House Bill No. 343; also
House Bill No. 348; also
House Joint Resolution No. 13; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 78; also
House Bill No. 128; also
Substitute House Bill No. 156; also
House Bill No. 172; also
House Bill No. 204; also
House Bill No. 221; also
House Bill No. 231; also
House Bill No. 260; also
House Bill No. 282; also
House Bill No. 406; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has receded from its amendment to Engrossed Senate Bill No. 161, and passed the bill without the House amendment, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 76, 73, 242 and 395, have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: A. M. Murfin, W. C. Dawson, Monty Percival.

Senate Chamber,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 178, 366, 456, 448, 190, 438, 304, 396 and 394, have compared same with the original bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: A. M. Murfin, W. C. Dawson, Monty Percival.

The reports were ordered received.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has receded from the following amendment to Engrossed Senate Bill No. 427:

In section 4, line 24, page 3 of the engrossed bill, being line 40, page 2 of the printed bill, after the word "administrator" and before the word "who" insert a comma (,) and the following: "who has been a resident of their respective county for two years prior to receiving said appointment and,"

and passed the bill without said amendment and the bill is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Reardon, the Senate adopted the report from the House.

The Chair announced that Engrossed Senate Bill No. 427 is now on final passage.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 427, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Duggan, Ferryman, Haddon, Henderson, Holt, Keeler, Klemgard, Koontz, Lovejoy, McDonald, McMillan, Metcalf, Mills, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Sieler, Troy and Wanamaker—24.

Those voting nay were: Senators Atkinson, Dawson, Farquharson, Kerstetter, Kyle, Morgan, Rosellini, Sullivan, Thomas, Todd and Voyce—11.

Absent or not voting: Senators Drumheller, Edwards, Keller, Malstrom, Maxwell, McAulay, Moe, Murphy, Schroeder, Shorett and Stinson—11.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 146:

The Secretary read:

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 146, entitled: "An Act relating to the collection of taxes; validating certain agreements heretofore executed for the payment of delinquent real property taxes in installments; and declaring an emergency.", have had the same under consideration, and we are unable to agree and ask that powers of free conference be granted.

Senate Members

TED SCHROEDER
W. R. ORNDORFF
HERBERT H. SIELER

House Members

GEORGE KINNEAR
FRANK CHERVENKA
A. A. MACKIE

On motion of Senator Sieler, the report was adopted and the conference committee was granted the powers of free conference.

Senator Sieler announced that he desired to be relieved of his duties as a member of the conference committee on Engrossed House Bill No. 146, and that a substitute member be appointed.

On motion of Senator Keeler, the request of Senator Sieler was granted.

The Chair announced that he was appointing Senator McDonald to act on the Conference Committee in the place of Senator Sieler.

On motion of Senator Sieler, the appointment of Senator McDonald as a member of the conference committee was confirmed.

President Meyers assumed the chair.

APPOINTMENT OF CONFERENCE COMMITTEE

Engrossed Senate Bill No. 467:

The President appointed as a conference committee on Engrossed Senate Bill No. 467, Senators Wanamaker, Koontz and Morgan.

On motion of Senator Orndorff, the committee appointment was confirmed.

Engrossed House Bill No. 146:

On motion of Senator Orndorff, Senator Schroeder was excused from service on the conference committee.

The President appointed Senator Keeler to act on the conference committee in place of Senator Schroeder, who was excused.

Engrossed Senate Bill No. 433:

The Secretary read:

MESSAGES FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed Senate Bill No. 433, and has granted the powers of free conference, and the report of the conference committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 433, entitled: "An Act making appropriations for the purchase of land, construction of buildings and improvements at designated state institutions; for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices; for the relief of certain individuals, corporations, counties and municipalities, for refunds and for deficiencies and for emergencies, including deficiencies and appropriation of revolving funds, and for purposes specified in certain acts of Congress, and for miscellaneous purposes designated for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, defining terms, limiting allowances and compensation, and providing this act shall take effect immediately.", have had the same under consideration, and we are unable to agree and ask that the powers of free conference be granted.

Senate Members

JUDSON W. SHORETT
JOSEPH DRUMHELLER
GORDON KLEMGGARD

House Members

C. WAYNE SWEGLE
JOHN R. HURLEY
CHARLES FINUCANE

On motion of Senator Reardon, the report was adopted and the conference committee was granted powers of free conference.

Engrossed Senate Bill No. 213:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has discharged the conference committee on Engrossed Senate Bill No. 213, and the Speaker has appointed as the new members of the House on said conference committee, Representatives Moulton, Vane and Butler.

S. R. HOLCOMB, *Chief Clerk*.

House Bill No. 146:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed Representative Underwood as a member of the conference committee on House Bill No. 146, in lieu of Representative Kinnear (George C.), who refuses the appointment.

S. R. HOLCOMB, *Chief Clerk*.

Engrossed Senate Bill No. 48:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed Senate Bill No. 48, and has indefinitely postponed Engrossed Senate Bill No. 48. The report of the conference committee and the bill are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 48, entitled: "An Act providing that relatives of sufficient ability shall support persons unable to earn a livelihood in consequence of bodily or mental infirmity, or other cause, authorizing the enforcement of liability for such support and declaring an emergency.", have had the same under consideration, and we recommend that the bill be indefinitely postponed.

Senate Members

DAVID E. McMILLAN
HENRY J. COPELAND
F. L. MORGAN

House Members

EDWARD J. REILLY
GEORGE TWIDWELL
EMMET E. EGBERT

House Bill No. 175:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on House Bill No. 175, and the Speaker has appointed Representatives Brown, Hatley and Carty as House members of a conference committee thereon.

S. R. HOLCOMB, *Chief Clerk*.

Senator Murfin moved that the Senate recede from the Senate amendment to House Bill No. 175.

The motion carried.

Senators Duggan, Orndorff and Lovejoy demanded the previous question.

The previous question was ordered, and House Bill No. 175 was placed on final passage.

The Secretary called the roll on the final passage of House Bill No. 175, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Copeland, Dawson, Duggan, Edwards, Farquharson, Ferryman, Haddon, Henderson, Holt, Kerstetter, Koontz, Kyle, Malstrom, McDonald, McMillan, Metcalf, Mills, Moe, Morgan, Murfin, Orndorff, Percival, Reardon, Rosellini, Sieler, Sullivan, Thomas, Todd, Troy, Joyce and Wanamaker—32.

Absent or not voting: Senators Bloomer, Drumheller, Keeler, Keller, Klemgard, Lovejoy, Maxwell, McAulay, Murphy, Roberts, Roup, Schroeder, Shorett and Stinson—14.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 450:

The Secretary read:

REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed House Bill No. 450, entitled: "An Act making appropriations for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices, for the purchase and improvement of land, the construction of buildings and improvements for the various state institutions designated and mentioned, and for emergencies, and for refunds, and for sundry civil expenses of the state government, and for public assistance, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, and declaring that this act shall take effect immediately.", have had the same under consideration, and we recommend that the said bill do pass with the following amendments:

Amend Sec. 2 of the bill by striking the entire section and inserting in lieu thereof the following:

SEC. 2. The words "capital outlay" whenever used in this act, shall mean and include the purchase and improvement of land and erection of buildings, including necessary salaries and wages incident thereto.

The words "salaries and wages" whenever used in this act, shall mean and include salaries of executive officers and employees of state offices, departments and institutions, and all compensation for direct labor or personal service rendered to the state, including salaries of state examiners.

The word "operations" whenever used in this act, shall mean and include necessary traveling expenses of officers and employees, and all expenses necessary for supplies, material, services and maintenance of the various institutions, departments and offices of the state government, other than salaries and wages: *Provided*, That no portion of the appropriations made hereunder shall be expended for coupon or scrip books, or other evidences of advance payment for future delivery: *And provided, further*, That allowances made for subsistence and lodging for elective or appointive officers and employees while away from their domicile on state business shall equal actual expenses incurred therefor, but shall not exceed four dollars (\$4.00) per diem for meals and lodging: *And provided, further*, That the sole compensation for personal automobiles used in connection with state business shall not exceed four cents (4¢) per mile.

FROM THE GENERAL FUND

FOR THE GOVERNOR'S OFFICE:		
Salaries, Wages and Operations.....	\$45,000.00	
Investigation and Emergency Purposes, to be distributed on vouchers approved by the Governor.....	16,000.00	
Extradition Expenses (including Deficiencies).....	12,000.00	
Total		\$73,000.00
FOR THE GOVERNOR'S MANSION:		
Maintenance, to be distributed on vouchers approved by the Governor		\$12,000.00
FOR THE LIEUTENANT GOVERNOR:		
Salary of the Lieutenant Governor.....	\$2,400.00	
Other Salaries and Wages.....	1,200.00	
Operations	1,200.00	
Total		\$4,800.00
FOR THE SECRETARY OF STATE:		
Salaries and Wages.....	\$66,000.00	
Salary—For collection of Delinquent Corporation fees and taxes	8,000.00	
Operations	29,000.00	
Checking, Printing, Advertising and Mailing Initiative and Referendum Measures and Constitutional Amend- ments: <i>Provided</i> , That no portion of this appropriation shall be expended for salaries of regular employees or office expense of the Secretary of State.....	50,000.00	
BUREAU OF STATISTICS AND IMMIGRATION:		
Salaries, Wages and Operations.....	10,000.00	
Total		\$163,000.00
FOR THE STATE TREASURER:		
Salaries and Wages.....	\$68,000.00	
Operations	19,000.00	
Audit by Division of Budget.....	5,000.00	
Total		\$92,000.00

FROM THE MOTOR VEHICLE FUND

Salaries and Wages.....	\$25,000.00	
Operations	5,750.00	
Total		\$30,750.00

FROM THE FISHERIES FUND

Salaries and Wages.....	\$16,000.00	
Operations	7,500.00	
Total		\$23,500.00

FROM THE GENERAL FUND

FOR THE STATE AUDITOR:		
Salaries and Wages.....	\$68,000.00	
Operations	7,500.00	
Special Printing	3,500.00	
DEPARTMENTAL AUDITS:		
Salaries and Wages.....	37,000.00	
Operations	10,000.00	
Total		\$126,000.00

FROM THE MOTOR VEHICLE FUND

Salaries and Wages.....	\$22,000.00	
Operations	7,000.00	
AUDIT, DEPARTMENT OF HIGHWAYS:		
Salaries and Wages.....	9,480.00	
Operations	5,000.00	
Total		\$43,480.00

FROM THE GENERAL FUND

DIVISION OF MUNICIPAL CORPORATIONS:

Salaries and Wages.....	\$24,000.00	
Operations	6,000.00	
Total		\$30,000.00

FOR THE ATTORNEY GENERAL:

Salaries and Wages.....	\$95,000.00	
Operations	19,000.00	
Printing Briefs, Court Costs, and Expenses of Litigation in Federal Courts, other than Salaries and Wages.....	35,000.00	
Indexing Session Laws.....	450.00	
Total		\$149,450.00

FROM THE CURRENT SCHOOL FUND

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION:

Salaries and Wages.....	\$70,500.00	
Operations	28,600.00	
To Publish the Washington State Manual and other Publi- cations required by law.....	5,000.00	
Total		\$104,100.00

FROM THE GENERAL FUND

STATE LIBRARY:

Salaries, Wages and Operations.....		\$30,000.00
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FOR THE COMMISSIONER OF PUBLIC LANDS:

Salaries and Wages.....	\$166,000.00	
Operations	78,000.00	
Total		\$244,000.00

FOR THE INSURANCE COMMISSIONER:

Salaries and Wages.....	\$163,000.00	
Operations	58,000.00	
Total		\$221,000.00

FOR LEGISLATIVE EXPENSE:

Printing, indexing, binding and editing Session Laws, Sen- ate and House Journals, other legislative printing, and binding public documents of the Twenty-sixth Session..	\$20,000.00	
Indexing Senate and House Journals.....	1,000.00	
Total		\$21,000.00

FOR THE SUPREME COURT:

Salaries and Wages.....	\$223,040.00	
Operations	21,525.00	
Total		\$244,565.00

FOR THE STATE LAW LIBRARY:

Salaries and Wages.....	\$15,750.00	
Operations	12,235.00	
Total		\$27,985.00

FOR THE JUDICIAL COUNCIL:

Salaries, Wages and Operations.....		\$2,500.00
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FOR THE UNIFORM LAW COMMISSION:

Operations		\$500.00
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FOR THE SUPERIOR COURT JUDGES:

Salaries and Wages.....	\$263,000.00	
Expenses, Judges in Joint Districts.....	5,700.00	
Total		\$268,700.00

FOR THE ASSOCIATION OF SUPERIOR COURT JUDGES:

Operations		\$2,000.00
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FOR THE JUDGES' RETIREMENT FUND:

To be expended in accordance with the provisions of chapter 229, Laws of 1937.....		\$16,200.00
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FROM THE GENERAL FUND

FOR THE STATE ATHLETIC COMMISSION:

Salaries and Wages.....	\$6,300.00	
Operations	3,500.00	
Total		\$9,800.00

FOR THE STATE BOARD FOR THE CERTIFICATION OF LIBRARIANS:

Operations		\$300.00
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FROM THE CURRENT SCHOOL FUND

FOR THE STATE BOARD OF EDUCATION:

Salaries and Wages.....	\$10,000.00	
Operations	2,000.00	
Total		\$12,000.00

FOR THE STATE BOARD FOR VOCATIONAL EDUCATION:

Salaries and Wages (including Deficiencies).....	\$20,135.00	
Operations (including Deficiencies).....	7,075.00	
To secure Federal Vocational Rehabilitation Fund (expenditures not to exceed amounts expended from appropriation for Civilian Vocational Rehabilitation).....	64,342.30	
Total		\$91,552.30

FROM THE UNITED STATES VOCATIONAL EDUCATION FUND

To be expended in accordance with the provisions of Acts of Congress approved February 23, 1917, and February 5, 1929, and Acts amendatory or supplementary thereto, providing for the promotion and development of vocational education (including Deficiencies).....

\$518,372.90

To be expended in accordance with the provisions of Acts of Congress approved June 2, 1920, and subsequent amendments, providing for civilian vocational rehabilitation

64,342.30

Total

\$582,715.20

FROM THE GENERAL FUND

FOR THE STATE BOARD OF PHARMACY:

Salaries and Wages.....	\$9,500.00	
Operations	8,000.00	
Total		\$17,500.00

FROM THE PUGET SOUND PILOTAGE FUND

FOR THE STATE BOARD OF PILOTAGE COMMISSIONERS:

Salaries and Wages.....	\$3,500.00	
Operations	2,500.00	
Total		\$6,000.00

FROM THE GENERAL FUND

FOR THE BOARD OF PRISON TERMS AND PAROLES:

Salaries and Wages.....	\$76,000.00	
Operations	28,000.00	
Total		\$104,000.00

FOR THE STATE CAPITOL COMMITTEE:

Salaries and Wages.....	\$7,500.00	
Operations	2,500.00	
Total		\$10,000.00

FOR THE STATE FINANCE COMMITTEE:

Salaries, Wages and Operations.....		\$11,440.00
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FROM THE PARKS AND PARKWAY FUND

FOR THE STATE PARKS COMMITTEE:

Salaries, Wages and Operations.....	\$175,000.00
(Provided, That the expenditures herefrom shall not exceed receipts to the Parks and Parkway Fund.)	

FROM THE MILLERSYLVANIA PARK CURRENT FUND

Improvement, Maintenance and upkeep of Millersylvania Park	\$400.00
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FROM THE GENERAL FUND

FOR THE STATE FOREST BOARD:

Salaries, Wages and Operations.....	\$500.00
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FOR THE WASHINGTON STATE PLANNING COUNCIL:

Salaries, Wages and Operations.....	\$40,000.00
Printing Maps and Other Publications.....	2,000.00
Total	\$42,000.00

FROM THE TEACHERS' RETIREMENT FUND

FOR THE BOARD OF TRUSTEES OF THE STATE TEACHERS' RETIREMENT SYSTEM:

Salaries and Wages.....	\$28,000.00
Operations	5,000.00
For the Payment of Annuities, Awards and Refunds as provided by law.....	1,077,600.00
Total	\$1,110,600.00

FROM THE GENERAL FUND

FOR THE WASHINGTON STATE PROGRESS COMMISSION:

Salaries, Wages and Operations.....	\$250,000.00
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FOR THE DEPARTMENT OF AGRICULTURE:

Salaries and Wages.....	\$170,000.00
Operations	111,000.00
Destruction of Predatory Animals.....	20,000.00

WASHINGTON STATE FAIR:

Salaries, Wages and Operations (including Deficiencies)	7,500.00
Total	\$308,500.00

FROM THE FEED AND FERTILIZER FUND

Salaries and Wages.....	\$15,000.00
Operations	10,000.00
(Expenditures not to exceed fees heretofore or hereafter collected)	
Total	\$25,000.00

FROM THE GRAIN AND HAY INSPECTION FUND

Salaries and Wages.....	\$200,000.00
Operations	35,000.00

GRAIN WAREHOUSE INSPECTION:

Salaries and Wages.....	9,000.00
Operations	9,500.00
(Expenditures not to exceed fees heretofore or hereafter collected)	
Total	\$253,500.00

FROM THE COMMISSION MERCHANTS' FUND

Salaries, Wages and Operations.....	\$75,000.00
(Expenditures not to exceed fees heretofore or hereafter collected)	

FROM THE NURSERY INSPECTION FUND

Salaries and Wages.....	\$10,000.00	
Operations	10,000.00	
(Expenditures not to exceed fees heretofore or here- after collected)		
Total.....		\$20,000.00

FROM THE GENERAL FUND

FOR THE DEPARTMENT OF CONSERVATION AND DEVELOPMENT:

Salaries and Wages.....	\$88,000.00
Operations	32,000.00

WATER POLLUTION STUDIES:

Salaries, Wages and Operations.....	2,500.00
Soil Surveys	25,000.00

FORESTRY DIVISION:

Salaries and Wages.....	150,000.00
Operations	65,000.00

(Provided, That the Supervisor of Forestry may purchase gasoline, oil and tires, and pay for repairs in lieu of mileage allowances for use of personally owned cars for Fire Wardens, such expenditures not to exceed four cents per mile traveled)

Total.....		\$362,500.00
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FROM THE RECLAMATION REVOLVING FUND

RECLAMATION DIVISION:

Salaries and Wages.....	\$8,000.00
Operations	4,500.00
Natural Resources Surveys.....	50,000.00
Columbia Basin Activities.....	20,000.00

To finance, refinance and purchase bonds of irrigation, diking and drainage districts as provided by law.....

(Expenditures from Reclamation Revolving Fund not to exceed cash on hand and available for expenditure)

Total.....		\$332,500.00
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FROM THE GENERAL FUND

FOR THE DEPARTMENT OF FINANCE, BUDGET AND BUSINESS:

General Office, including Division of Public Institutions and Division of Purchasing:

Salaries and Wages.....	\$156,000.00
Operations	26,000.00

Division of Banking:

Salaries and Wages.....	71,000.00
Operations	21,500.00

Division of Budget:

Salaries and Wages.....	60,000.00
Operations	14,000.00

Division of Savings and Loan Associations:

Salaries and Wages.....	40,000.00
Operations	15,000.00

Capitol Building and Grounds:

Salaries and Wages.....	240,000.00
Operations	150,000.00

Parole, Transportation and Deportation:

Salaries and Wages.....	53,000.00
Operations	45,000.00

Total.....		\$891,500.00
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FROM THE FISHERIES FUND

FOR THE DEPARTMENT OF FISHERIES:

Salaries and Wages.....	\$255,000.00	
Operations	135,000.00	
Biological Research and Water Pollution Studies.....	50,000.00	
Improvement and Protection of Oyster Reserves.....	10,000.00	
(Provided, That expenditures herefrom shall not exceed receipts to Fisheries Fund)		
Total.....		\$450,000.00

FROM THE LEWIS RIVER HATCHERY FUND

Salaries and Wages.....	\$17,920.00	
Operations	5,290.00	
Total.....		\$23,210.00

FROM THE GAME FUND

FOR THE DEPARTMENT OF GAME:

Salaries and Wages.....	\$615,000.00	
Operations and Game Disease Research.....	532,000.00	
Bounties on Predatory Animals (expenditures not to exceed receipts from sale of big game seals).....	75,000.00	
Wild Life Restoration and Research (expenditures to be limited to approved projects upon which reimbursement of 75% will be made by the Federal Government)	210,000.00	
Total.....		\$1,432,000.00

FROM THE GENERAL FUND

FOR THE DEPARTMENT OF HEALTH:

Salaries and Wages.....	\$122,500.00	
Operations	71,000.00	
For Public Health Work (expenditures not to exceed amounts received and credited to General Fund from the Federal Government for Public Health Work)....	453,139.70	
For Stream Pollution Studies.....	6,000.00	
Total.....		\$652,639.70

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES:

Salaries and Wages.....	\$350,000.00	
Operations	153,500.00	
Total.....		\$503,500.00

FROM THE MEDICAL AID FUND

Salaries and Wages.....	\$333,080.00	
Operations	92,500.00	
Claims and awards and other expenses provided by law..	2,000,000.00	
Total.....		\$2,425,580.00

FROM THE ACCIDENT FUND

Claims and awards and other expenses provided by law..		\$8,500,000.00
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FROM THE GENERAL FUND

FOR THE DEPARTMENT OF LICENSES:

Salaries and Wages.....	\$80,000.00	
Operations	65,000.00	
Total.....		\$145,000.00

FROM THE MOTOR VEHICLE FUND

Salaries and Wages.....	\$255,000.00	
For auditing in conjunction with fuel oil and gas tax collection	35,000.00	
Operations	285,000.00	
Liquid fuel tax refunds.....	3,200,000.00	
Total.....		\$3,775,000.00

FROM THE HIGHWAY SAFETY FUND

Salaries and Wages.....	\$73,140.00	
Operations	116,250.00	
Total.....		\$189,390.00

FROM THE GENERAL FUND

FOR THE MILITARY DEPARTMENT:

Salaries and Wages.....	\$217,000.00	
Operations	159,000.00	
Uniform Allowance	30,000.00	
Retained Pay	42,000.00	
Medical Aid and Compensation for enlisted members injured in line of duty.....	9,500.00	
Total.....		\$457,500.00

FROM THE PUBLIC SERVICE REVOLVING FUND

FOR THE DEPARTMENT OF PUBLIC SERVICE:

Salaries and Wages.....	\$440,000.00	
Operations	225,000.00	
(Expenditures not to exceed fees heretofore and hereafter collected)		
Total.....		\$665,000.00

FROM THE GENERAL FUND

FOR THE DEPARTMENT OF SOCIAL SECURITY:

General Supervision:

Salaries and Wages.....	\$587,900.00	
Operations	261,000.00	

Division of Old Age Assistance:

Salaries, Wages, Operations and Assistance as provided by law: <i>Provided</i> , That expenditures for salaries, wages and operations shall not exceed five per cent (5%) of the total amount expended for old age assistance	24,000,000.00	
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Division of Public Assistance:

Salaries and Wages.....	248,000.00	
Operations	289,800.00	
Assistance as provided by law.....	5,750,000.00	

Division for Children:

Salaries and Wages.....	495,000.00	
Operations	150,900.00	
Assistance as provided by law.....	2,552,779.00	

Division for the Blind:

Salaries and Wages.....	50,000.00	
Operations	41,450.00	
Assistance as provided by law.....	482,580.00	

Sub-total..... \$34,909,409.00

Expenditures from the following appropriations to be limited to amounts received or to be received from the Federal Government, and credited to the General Fund under the respective categories of assistance:

Assistance as Provided by Law:

Division of Public Assistance.....	\$2,000,000.00	
Division for Children.....	2,100,000.00	
Division for the Blind.....	370,000.00	

Sub-total..... \$4,470,000.00

Total Department of Social Security..... \$39,379,409.00

FROM THE HIGHWAY SAFETY FUND

FOR THE WASHINGTON STATE PATROL:

Salaries and Wages.....	\$905,860.00	
Operations (including deficiencies).....	789,750.00	
Installation and maintenance of teletype system.....	65,000.00	
Total.....		\$1,760,610.00

FROM THE GENERAL FUND

FOR THE TAX COMMISSION OF THE STATE OF WASHINGTON:

General Office:

Salaries and Wages.....	\$90,000.00	
Operations	23,000.00	

Administration of Revenue Act of 1935:

Salaries and Wages.....	650,000.00	
Operations	230,000.00	

Inheritance Tax and Escheat Division:

Salaries and Wages.....	42,000.00	
Operations	10,000.00	

Refund of taxes, costs, penalties, interest and redemption of tokens as provided by Chapter 191, Laws of 1933, and Chapter 180, Laws of 1935, and all laws amendatory thereto

2,000,000.00

Total..... \$3,045,000.00

FROM THE GENERAL FUND

FOR THE DEPARTMENT OF FINANCE, BUDGET AND BUSINESS:

State School for the Blind:

Salaries and Wages.....	\$83,000.00	
Operations	57,000.00	
Total.....		\$140,000.00

State Custodial School:

Salaries, Wages and Operations.....		\$710,000.00
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State School for the Deaf::

Salaries and Wages.....	\$93,000.00	
Operations	75,000.00	
Total.....		\$168,000.00

Eastern State Hospital:

Salaries, Wages and Operations.....		\$995,000.00
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State School for Girls:

Salaries and Wages.....	\$68,160.00	
Operations	71,360.00	
Total.....		\$139,520.00

Northern State Hospital:

Salaries, Wages and Operations.....		\$1,005,442.00
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Washington State Penitentiary:

Salaries and Wages.....	\$235,000.00	
Operations	540,000.00	
Total.....		\$775,000.00

FROM THE PENITENTIARY REVOLVING FUND

Industrial Operations:

Salaries and Wages.....	\$47,460.00	
Operations	393,700.00	
Total.....		\$441,160.00

FROM THE GENERAL FUND

Washington State Reformatory:

Salaries and Wages.....	\$158,260.00	
Operations	287,675.00	
Total.....		\$445,935.00

FROM THE REFORMATORY REVOLVING FUND

Industrial Operations:			
Salaries and Wages.....	\$27,860.00		
Operations	79,190.00		
New Industries	50,000.00		
Total.....		<u> </u>	\$157,050.00

FROM THE GENERAL FUND

State Soldiers' Home and Colony:			
Salaries and Wages.....	\$81,560.00		
Operations	137,680.00		
Total.....		<u> </u>	\$219,240.00
State Training School:			
Salaries and Wages.....	\$91,000.00		
Operations	122,000.00		
Total.....		<u> </u>	\$213,000.00
Washington Veterans' Home:			
Salaries and Wages.....	\$142,120.00		
Operations	218,000.00		
Total.....		<u> </u>	\$360,120.00
Veterans' Hospital:			
Salaries and Wages.....	\$59,960.00		
Operations	42,650.00		
Total.....		<u> </u>	\$102,610.00
Western State Custodial School:			
Salaries, Wages and Operations.....			\$590,350.00

FROM THE WESTERN STATE CUSTODIAL SCHOOL REVOLVING FUND

Industrial Operations:			
Salaries, Wages and Operations.....			\$50,000.00

FROM THE GENERAL FUND

Western State Hospital:			
Salaries, Wages and Operations.....			\$1,380,000.00

FROM THE UNIVERSITY OF WASHINGTON FUND

FOR THE UNIVERSITY OF WASHINGTON:			
Salaries and Wages.....	\$4,036,416.00		
Operations	607,038.00		
Total.....		<u> </u>	\$4,643,454.00

FROM THE WASHINGTON STATE COLLEGE FUND

FOR THE STATE COLLEGE OF WASHINGTON:			
Salaries and Wages.....	\$1,490,397.18		
Operations	565,884.82		
Total.....		<u> </u>	\$2,056,282.00
FOR THE STATE COLLEGE OF WASHINGTON:			
From the Morrill Fund.....	\$100,000.00		
From the Federal Experiment Station Fund.....	182,713.00		
From the Federal Cooperative Agricultural Extension Fund	200,492.37		
To be expended in accordance with the purposes, terms, and provisions and conditions of the respective Acts of Congress for the endowment and granting of moneys to Agricultural Colleges and Experiment Stations.			
Total.....		<u> </u>	\$483,205.37

FROM THE WASHINGTON STATE COLLEGE FUND

FOR THE STATE COLLEGE OF WASHINGTON:

For Agricultural Experiment Stations:

Salaries, Wages and Operations.....		\$359,934.50
(Provided, That expenditures herefrom be allocated as follows:)		

Main Experiment Station, Pullman and Walla Walla...	\$78,587.50
Western Washington Experiment Station, Puyallup....	158,159.00
Irrigation Branch Station, Prosser.....	42,850.00
Tree Fruit Branch Station, Wenatchee.....	54,145.00
Dry Land Branch Station, Lind.....	16,213.00
Cranberry-Blueberry Branch Station, Ilwaco.....	9,980.00

For Agricultural Extension Work:

Salaries and Wages.....		\$86,815.00
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FOR THE CENTRAL WASHINGTON COLLEGE OF EDUCATION:

From the Normal School Current Fund....	\$35,000.00
From the Ellensburg Normal School Fund.	426,000.00

Salaries and Wages.....	\$380,000.00
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Old age annuities, as provided by Chapter 223, Laws of 1937	19,000.00
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Operations	62,000.00
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Total.....		\$461,000.00
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FOR THE EASTERN WASHINGTON COLLEGE OF EDUCATION:

From the Normal School Current Fund...	\$35,000.00
From the Cheney Normal School Fund....	481,000.00

Salaries and Wages.....	\$420,000.00
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Old age annuities, as provided by Chapter 223, Laws of 1937	21,000.00
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Operations	75,000.00
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Total.....		\$516,000.00
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FOR THE WESTERN WASHINGTON COLLEGE OF EDUCATION:

From the Normal School Current Fund...	\$35,000.00
From the Bellingham Normal School Fund	507,000.00

Salaries and Wages.....	\$445,000.00
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Old age annuities, as provided by Chapter 223, Laws of 1937	22,000.00
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Operations	75,000.00
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Total.....		\$542,000.00
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FOR CAPITAL OUTLAYS, MAJOR REPAIRS AND MAINTENANCE:

To be expended independently of, or in conjunction with funds allocated by the Federal, county or municipal governments or agencies or in conjunction with funds allocated for unemployment relief: *Provided*, That the following appropriations shall become available only upon written approval of the Governor:

FROM THE GENERAL FUND

FOR THE DEPARTMENT OF FINANCE, BUDGET AND BUSINESS:

Cleaning exteriors of buildings; painting, and replacing and improving lighting system, Sylvester Park.....	\$10,500.00
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Coal bunkers and equipment for handling coal and ashes, Capitol heating plant.....	25,000.00
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State Custodial School:

Capital outlays, major repairs and betterments.....	48,000.00
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State School for the Deaf:

Capital outlays, major repairs and betterments.....	79,000.00
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Eastern State Hospital:

Capital outlays, major repairs and betterments.....	161,000.00
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State School for Girls:

Capital outlays, major repairs and betterments.....	21,050.00
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Northern State Hospital:

Capital outlays, major repairs and betterments.....	200,000.00
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Washington State Penitentiary:	
Cell house and equipment.....	\$272,000.00
Materials for prison wall.....	15,000.00
Washington State Reformatory:	
Capital outlays, major repairs and betterments.....	35,000.00
State Training School:	
Administration building, officers' quarters and equip- ment	20,000.00
Washington Veterans' Home:	
Capital outlays, major repairs and betterments.....	5,000.00
Western State Custodial School:	
Capital outlays, farm buildings and equipment.....	485,000.00
Western State Hospital:	
Capital outlays, major repairs and betterments.....	500,000.00
FROM THE FISHERIES FUND	
FOR THE DEPARTMENT OF FISHERIES:	
Capital outlays and major repairs.....	\$55,000.00
FROM THE LEWIS RIVER HATCHERY FUND	
Capital outlays and major repairs.....	\$5,600.00
FROM THE GAME FUND	
FOR THE DEPARTMENT OF GAME:	
Capital outlays and major repairs.....	\$100,000.00
FROM THE GENERAL FUND	
FOR THE MILITARY DEPARTMENT:	
Capital outlays, major repairs and betterments to armories	\$750,000.00
FROM THE MOTOR VEHICLE FUND	
FOR THE DEPARTMENT OF HIGHWAYS:	
Capital outlays, major repairs and equipment.....	\$385,940.00
FROM THE UNIVERSITY OF WASHINGTON BUILDING FUND	
FOR THE UNIVERSITY OF WASHINGTON:	
Completion of Social Science Building and additions to and/or remodeling of Laboratories and/or Service Buildings or equipment	\$350,000.00
FROM THE UNIVERSITY OF WASHINGTON FUND	
FOR THE UNIVERSITY OF WASHINGTON:	
Capital outlays, major repairs, betterments, operations and maintenance, including salaries and wages.....	\$615,000.00
FROM THE GENERAL FUND	
FOR THE STATE COLLEGE OF WASHINGTON:	
Capital outlays, including furniture and fixtures therefor	\$660,000.00
FROM THE STATE COLLEGE OF WASHINGTON BUILDING FUND	
Capital outlays, major repairs, betterments and equip- ment, including salaries, wages and operations.....	\$238,348.00
FROM THE GENERAL FUND	
FOR THE CENTRAL WASHINGTON COLLEGE OF EDUCATION:	
Capital outlays, major repairs and betterments.....	\$25,000.00
FOR THE EASTERN WASHINGTON COLLEGE OF EDUCATION:	
Capital outlays, major repairs and betterments.....	200,000.00

FROM THE CHENEY NORMAL SCHOOL FUND

Capital outlays, major repairs, equipment and betterments	\$15,000.00
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FROM THE GENERAL FUND

FOR THE WESTERN WASHINGTON COLLEGE OF EDUCATION:

Capital outlays, major repairs and betterments.....	\$300,000.00
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FOR THE WASHINGTON STATE HISTORICAL SOCIETY:

Furniture and equipment.....	2,500.00
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FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY:

Repairs to Museum Building, electric wiring and roof...	1,200.00
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Total capital outlays, major repairs and maintenance	\$5,580,138.00
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FROM THE CAPITOL BUILDING CONSTRUCTION FUND

For bond retirement and interest.....	\$837,500.00
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FROM THE GENERAL FUND

For court costs in insanity cases (including deficiencies)...	\$5,000.00
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For criminal cost bills (including deficiencies).....	\$50,000.00
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FROM THE CURRENT SCHOOL FUND

To carry out the provisions of Sec. 4935, Rem. Comp. Stat. (Provided, That of the foregoing appropriation \$70,000.00 or so much thereof as may be necessary shall be used to pay the amounts due and apportionable to school districts, during the months of May, June, July and August, 1939, to carry out the provisions of Section 3, Chapter 226 of the Laws of 1937).	\$34,500,000.00
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FROM THE STATE SCHOOL EQUALIZATION FUND

For distribution to counties as provided by Chapters 226 and 228, Laws of 1937.....	\$2,500,000.00
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FROM THE GENERAL FUND

For the payment of warrants drawn for emergency purposes approved during the biennium April 1, 1939, to March 31, 1941, pursuant to Section 10, Chapter 9, Laws of 1925, as amended by Section 6, Chapter 162, Laws of 1929	\$250,000.00
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For distribution to "Firemen's Relief and Pension Funds" as provided by Chapter 39, Laws of 1935.....	\$150,000.00
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FROM THE FOREST RESERVE FUND

For distribution of moneys received from the Federal Government from Forest Reserves as provided by Chapter 185, Laws of 1907 (including deficiencies).....	\$255,998.99
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FROM THE GENERAL OBLIGATION BONDS OF 1933 RETIREMENT FUND

For bond retirement and interest.....	\$1,581,460.00
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FROM THE HARBOR IMPROVEMENT FUND

For distribution in accordance with Chapters 168, 169 and 170, Laws of 1913, based on receipts.....	\$125,000.00
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FROM THE GENERAL FUND

For Presidential Electors.....	\$375.00
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For Tuberculosis Hospitals (including deficiencies).....	\$429,551.25
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FROM THE VETERANS' COMPENSATION BOND RETIREMENT FUND

For bond retirement and interest.....	\$848,000.00
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FROM THE VOLUNTEER FIREMEN'S RELIEF AND COMPENSATION FUND

For claims, awards and other expenses allowed by law (including deficiencies)	\$80,000.00
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FROM THE GENERAL FUND

FOR THE WASHINGTON STATE HISTORICAL SOCIETY:

Salaries and Wages.....	\$12,600.00	
Operations	2,750.00	
Total.....	\$15,350.00	

FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY:

Salaries and Wages.....	\$4,800.00	
Operations	5,200.00	
Total.....	\$10,000.00	

For Transfer to the State Teachers' Retirement Fund (transfers to be made from time to time in eight (8) quarterly installments as needed, in such amounts as the Governor shall determine).....	\$1,000,000.00
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FROM THE CAPITOL BUILDING CONSTRUCTION FUND

For the General Fund, to repay the amount loaned from appropriation by Chapter 92, Laws of 1935.....	\$84,375.00
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FROM THE CURRENT SCHOOL FUND

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION:

Deficiency, wages and operations (to reimburse the General Fund Account Emergency approved March 2, 1937)	\$1,331.81
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FROM THE STATE ATHLETIC FUND

FOR THE STATE ATHLETIC COMMISSION:

Deficiency, salaries and wages (to reimburse the General Fund Account Emergency approved March 2, 1937)....	\$257.30
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FROM THE GENERAL FUND

FOR THE ASSOCIATION OF SUPERIOR COURT JUDGES:

Deficiency, operations (emergency approved August 2, 1938)	\$400.00
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FOR THE STATE CAPITOL COMMITTEE:

Deficiency, operations (emergencies approved January 20, 1937 and September 7, 1938).....	\$1,470.50
Deficiency, modernization and repairs to Old Capitol Building (emergency approved September 7, 1938)....	\$15,000.00

FOR THE STATE FINANCE COMMITTEE:

Deficiency, salaries, wages and operations (emergency approved May 17, 1938).....	\$1,200.00
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FOR THE WASHINGTON STATE PLANNING COUNCIL:

Deficiency, salaries, wages and operations (emergencies approved January 26, 1938, and October 28, 1938).....	\$13,920.00
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FOR THE DEPARTMENT OF FINANCE, BUDGET AND BUSINESS:

Capitol Building and Grounds:	
Deficiency, operations (emergency approved March 30, 1937)	\$9,357.89

State School for Deaf:

Deficiency, operations (emergency approved February 15, 1937)	\$4,945.43
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Eastern State Hospital:	
Deficiency, salaries, wages and operations (emergency approved February 15, 1937).....	\$4,526.27
Deficiency, construction of dormitories, barns and sheds (emergency approved January 12, 1937).....	\$4,944.56
Deficiency, construction of Nurses' Home and equipment (emergency approved July 11, 1938).....	\$4,000.00
Washington State Reformatory:	
Deficiency, replace cow barn, hay and equipment destroyed by fire (emergency approved December 8, 1938)	\$7,500.00
Washington State Penitentiary:	
Deficiency, salaries, wages and operations (emergency approved February 15, 1937).....	\$11,789.14
Western State Custodial School:	
Deficiency, expenses for commission for purchase of land (emergency approved July 2, 1937).....	\$617.00
Deficiency, purchase of land, erection of buildings, etc. (emergencies approved January 10, 1938, and July 8, 1938)	\$18,000.00
FOR THE DEPARTMENT OF LABOR AND INDUSTRIES:	
Deficiency, salaries and wages (emergency approved March 30, 1937).....	\$1,505.00

FROM THE GAME FUND

FOR THE DEPARTMENT OF GAME:	
Bounties on predatory animals, deficiency.....	\$8,500.00

FROM THE CURRENT SCHOOL FUND

FOR THE STATE BOARD FOR VOCATIONAL EDUCATION:	
Deficiency, salary, wages and operations (to reimburse the General Fund Account Emergency approved February 9, 1939).....	\$4,800.00

Sec. 3. This act is necessary for the immediate preservation of public peace, health and safety, for the support of the state government and its existing public institutions, and shall take effect immediately.

Senate Members:

JUDSON W. SHORETT,
JOSEPH DRUMHELLER,
A. E. EDWARDS.

House Members:

JOHN R. HURLEY,
DAVID C. COWEN,
J. D. McDONALD.

On motion of Senator Voyce, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 450, and the free conference report thereon.

The bill was considered in the committee of the whole, Senator Keller in the chair, and reported back to the Senate with the recommendation that it do pass as amended by the free conference committee.

On motion of Senator Keller, the report of the free conference committee was adopted.

On motion of Senator Lovejoy, the free conference committee amendments read in the committee of the whole were adopted.

Senators Farquharson, Kyle and Henderson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 450, as amended by the free conference committee, and it passed the Senate by the following vote:

Those voting aye were: Senators Atkinson, Bloomer, Copeland, Drummheller, Duggan, Edwards, Ferryman, Haddon, Henderson, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett, Stinson, Thomas, Troy, Voyce and Wanamaker—33.

Those voting nay were: Senators Dawson, Farquharson, Kerstetter, Kyle, Malstrom, Morgan, Rosellini, Sieler, Sullivan and Todd—10.

Absent or not voting: Senators Holt, McAulay and Murphy—3.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

REPORTS OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 71, 78, 116, 120, 161, 241, 361 and Substitute Senate Bill No. 23, have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY *Chairman.*

We concur in this report: Mary Farquharson, Monty Percival.

Senate Chamber,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 272 and 319, have compared same with the original bills and find them correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: Mary Farquharson, Monty Percival.

The reports were ordered received.

PROTEST

Senator Kerstetter moved that he be permitted to extend his remarks made in the committee of the whole, and that they be made a part of the record.

The President announced that there being no objection, the motion of Senator Kerstetter was declared carried.

Protest of Senator Kerstetter:

"It is my belief that a proper 'breakdown' and comparison of salaries, incidentals, etc., in the different state departments would show opportunities for legitimately and fairly saving thousands, yes, even hundreds of thousands of dollars now overpaid to the vast army under the Governor's patronage, and that this very considerable saving would, in turn, permit the Legislature to more adequately provide for the schools and for the old and needy of the state, and that without additional taxation."

The President assumed the Chair.

The President signed House Bills Nos. 78, 128, 163, 172, 184, 191, 204, 221, 231, 235, 259, 260, 268, 282, 287, 298, 312, 314, 342, 343, 348, 406 and 561; also Substitute House Bill No. 156; also House Joint Resolution No. 13; also Senate Bills Nos. 73, 76, 178, 190, 242, 304, 366, 394, 395, 396, 438, 448 and 456.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed Senate Bill No. 113, and has granted the committee the powers of free conference, and the report of the conference committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 113, relating to taxation, amending sections 4, 11, 15 (a), 17, 18, 19, 21, 25, 27, 32, 35, 45, 47, 84, 87, 89, 188, 193, 199, 210(a) and 219 of chapter 180, Laws of 1935 (sections 8370-4, 8370-11, 8370-15(a), 8370-17, 8370-18, 8370-19, 8370-21, 8370-25, 8370-27, 8370-32, 8370-35, 8370-45, 8370-47, 8370-84, 8370-87, 8370-89, 8370-188, 8370-193, 8370-199, 8370-210(a) and 8370-219, Remington's Revised Statutes); as amended by chapter 191, Laws of 1937, and chapter 227, Laws of 1937, repealing section 8 of chapter 180, Laws of 1935 (section 8370-8, Remington's Revised Statutes); and adding a new section thereto and declaring that this act shall take effect May 1, 1939.", have had the same under consideration, and report we are unable to agree and ask the powers of free conference.

Senate Members:

A. M. MURFIN,
W. R. ORNDORFF,
KEIRON W. REARDON,

House Members:

JOHN R. JONES,
ROY J. KINNEAR,
J. HOWARD PAYNE.

On motion of Senator Murfin the powers of free conference were granted to the conference committee on Engrossed Senate Bill No. 113.

The President signed Substitute Senate Bill No. 23, also Senate Bills Nos. 71, 78, 116, 120, 161, 241, 272, 319 and 361.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed as House members of the Conference Committee on Engrossed Senate Bill No. 467 Representatives Gulsinger, Reilly (Edward J.), and French.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed Representative Wentworth as a member on the conference committee on Engrossed Senate Bill No. 213 in lieu of Representative Vane.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed Representative Riley (Edward F.) as a member of the conference committee on Engrossed House Bill No. 146 in lieu of Representative Chervenka.
S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed House Bill No. 146 and granted the committee the powers of free conference.
S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed House Bill No. 161 but failed to pass the bill as amended by the conference committee.
S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the free conference committee on Senate Bill No. 374 and the House has receded from its amendments and passed the bill without the House amendments. The report of the free conference committee, together with the bill, are herewith transmitted.
S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Senate Bill No. 374, entitled: "An Act relating to the prevention of congenital syphilis; to take effect January 2, 1940.", have had the same under consideration, and we recommend that the House recede from the House amendments thereto.

Senate Members

J. W. HENDERSON
LULU D. HADDON
KATHRYN E. MALSTROM

House Members

DR. W. G. CAMERON
THOS. H. BIENZ
ELLA WINTLER

On motion of Senator Farquharson, the report of the free conference committee was adopted.

RESOLUTION

Senator Morgan moved the adoption of the following resolution:

Be It Resolved By the Senate of the Twenty-sixth Legislature:

That the Secretary of the Senate be instructed to compile and make a part of the Senate Journal a list of all employees of the Twenty-sixth Session of the Senate of the State of Washington, showing the position occupied and per diem salary of each.

Senator Reardon moved that the resolution offered by Senator Morgan be referred to the Committee on Employment.

Senator Roberts moved that the resolution be indefinitely postponed.

Senators Maxwell, Drumheller and Orndorff demanded the previous question.

The previous question was ordered.

The Chair announced that the question now before the Senate is on the motion by Senator Roberts.

The motion by Senator Roberts carried.

RESOLUTION

Senator Thomas moved the adoption of the following resolution:

That the present "Roads and Bridges" room on the Senate floor be the "Revenue and Taxation" room hereafter and that the former committee use the present quarters of the Roads and Bridges Committee.

The motion by Senator Thomas failed to carry.

APPOINTMENT OF COMMITTEE

The President announced the appointment to the Interim Committee on Revision of Senate Rules, Senators Duggan, Kyle, Maxwell, Drumheller and Metcalf.

On motion of Senator Sieler, the committee appointment was confirmed.

MOTION

Senator Kerstetter moved that the Senate employees now in the employ of the Senate be carried on the pay roll until the date of final adjournment.

On motion of Senator Keeler, the motion by Senator Kerstetter was laid on the table.

MOTION

On motion of Senator Reardon, the Secretary of the Senate was instructed to express to Senator McAulay, on behalf of the members of the Senate, regrets over the accident in which Senator McAulay was involved last night.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 68; also
House Bill No. 80; also
House Bill No. 126; also
House Bill No. 299; also
House Bill No. 401; also
House Bill No. 415; also
House Bill No. 425; also
House Bill No. 426; also
House Bill No. 471; also
House Bill No. 473; also
House Bill No. 521; also
House Bill No. 535; also
House Bill No. 541; and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

Senator Reardon assumed the chair.

The President signed House Bills Nos. 68, 80, 126, 299, 401, 415, 425, 426, 471, 473, 521, 535 and 541.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed Substitute Senate Bill No. 23; also Senate Bill No. 71; also Senate Bill No. 78; also Senate Bill No. 116; also Senate Bill No. 120; also Senate Bill No. 161; also Senate Bill No. 241; also Senate Bill No. 272; also Senate Bill No. 319; also Senate Bill No. 361; also Senate Bill No. 396; also Senate Bill No. 438; also Senate Bill No. 448; also Senate Bill No. 456; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 73; also Senate Bill No. 76; also Senate Bill No. 178; also Senate Bill No. 190; also Senate Bill No. 242; also Senate Bill No. 304; also Senate Bill No. 366; also Senate Bill No. 394; also Senate Bill No. 395; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed House Bill No. 450 and passed the bill as amended by the Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 113 and passed the bill as amended by the Free Conference Committee. The bill and the report of the Free Conference Committee are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 113, relating to taxation, amending sections 4, 11, 15(a), 17, 18, 19, 21, 25, 27, 32, 35, 45, 47, 84, 87, 89, 188, 193, 199, 210(a) and 219 of chapter 180, Laws of 1935; (sections 8370-4, 8370-11, 8370-15(a), 8370-17, 8370-18, 8370-19, 8370-21, 8370-25, 8370-27, 8370-32, 8370-35, 8370-45, 8370-47, 8370-84, 8370-87, 8370-89, 8370-188, 8370-193, 8370-199, 8370-210(a) and 8370-219, Remington's Revised Statutes); as amended by chapter 191, Laws of 1937, and chapter 227, Laws of 1937, repealing section 8 of chapter 180, Laws of 1935; (section 8370-8, Remington's Revised Statutes); and adding a new section thereto and declaring that this act shall take effect May 1, 1939., have had the same under consideration, and we recommend that the Senate concur in all the House amendments to the engrossed bill except the following amendments:

"In section 5, lines 28 and 29 of the engrossed bill, being line 29 of the printed bill, after the word "auctioneer" and before the asterisks insert a comma (,) and the following: "except a farm auctioneer conducting a sale of livestock and/or farm implements."

"In section 6 of the bill, as amended, immediately following subsection (e) add a new subsection to be known as subsection (f) to read as follows:

"(f) Sales of materials, equipment, parts or other articles to be used in the construction and repair of any commercial vessel, ship or engaged in interstate or foreign commerce."

"Amend section 6, subsection (c), line 25, page 9, of the engrossed bill, being line 7, page 6 of the printed engrossed bill, by striking the whole of subsection (c).

"Strike the whole of section 6½, line 1, page 10 of the engrossed bill, the same being section 6½, line 10, page 6 of the printed engrossed bill and insert in lieu thereof the following section:

"Sec. 6½. That section 16, chapter 180, Laws of 1935, (section 8370-16, Remington's Revised Statutes) be and the same hereby is amended to read as follows:

"Section 16. From and after the first day of May, 1935, there is hereby levied and there shall be collected a tax on each retail sale in this state equal to two per cent of the selling price. *The tax imposed under this title shall include the retail sale of intoxicating liquor by the Washington state liquor stores.*", and the committee further recommends that the House recede from these amendments and the committee further recommends that the House and Senate adopt the following amendments:

In section 6 of the bill, as amended, immediately following subsection (e) add a new subsection to be known as subsection (f) to read as follows:

"(f) Sales of materials, equipment, parts or other articles to be used in the construction and repair of any commercial vessel or ship, moving in interstate or foreign commerce."

Strike the whole of section 6½, line 1, page 10 of the engrossed bill, the same being section 6½, line 10, page 6 of the printed engrossed bill and insert in lieu thereof the following section:

"Sec. 6½. That section 16, chapter 180, Laws of 1935, (section 8370-16, Remington's Revised Statutes) be and the same hereby is amended to read as follows:

"Section 16. From and after the first day of May, 1935, there is hereby levied and there shall be collected a tax on each retail sale in this state equal to two per cent of the selling price. *The tax imposed under this title shall apply to the retail sale of intoxicating liquor by the Washington state liquor stores.*"

Add a new section immediately after section 25, line 10, page 31 of the engrossed bill, the same being section 25, line 24, page 17 of the printed engrossed bill, to be numbered section 25½, to read as follows:

"Sec. 25½. That section 211, chapter 180, Laws of 1935, as amended by section 22, chapter 227, Laws of 1937, (section 8370-211, Remington's Revised Statutes), be and the same hereby is amended to read as follows:

"Section 211. The state treasurer, upon receipt of any payments of tax, penalty, interest or fees collected under the provisions of this act and of the several titles

hereof except title XV, shall first deposit to the credit of the general fund the amount of any expenditures from said fund, not previously repaid, on account of refunds of taxes, interest and costs and shall deposit the balance thereof to the credit of the following funds:

*	*	*	*	52.25%	thereof to the state current school fund;
*	*	*	*	2.92%	thereof to the University of Washington fund;
*	*	*	*	1.63%	thereof to the Washington State College fund;
*	*	*	*	0.05%	thereof to the Bellingham Normal School fund;
*	*	*	*	0.13%	thereof to the Cheney Normal School Fund;
*	*	*	*	0.25%	thereof to the Ellensburg Normal School fund;
*	*	*	*	42.77%	thereof to the state general fund;

Provided, That the allocations hereby made to each of the first six funds above enumerated shall never during any biennium, in the aggregate, when added to resources or receipts derived from all other sources during such biennium, exceed the total requirements of each of said funds as measured by the biennial legislative appropriations payable therefrom and whenever such limit has been reached, any moneys which would otherwise be allocable to such funds shall be deposited to the credit of the state general fund."

Strike the title and in lieu thereof substitute the following:

"An Act relating to taxation; amending sections 4, 5, 6, 11, 15(a), 16, 17, 18, 19, 21, 25, 27, 31, 32, 34, 35, 36, 37, 45, 47, 82, 84, 87, 89, 188, 193, 199, 210(a), 211 and 219 of chapter 180, Laws of 1935 (sections 8370-4, 8370-5, 8370-6, 8370-11, 8370-15(a), 8370-16, 8370-17, 8370-18, 8370-19, 8370-21, 8370-25, 8370-27, 8370-31, 8370-32, 8370-34, 8370-35, 8370-36, 8370-37, 8370-45, 8370-47, 8370-82, 8370-84, 8370-87, 8370-89, 8370-188, 8370-193, 8370-199, 8370-210(a), 8370-211 and 8370-219, Remington's Revised Statutes), as amended by chapter 191, Laws of 1937, and chapter 227, Laws of 1937; repealing section 8 of chapter 180, Laws of 1935 (section 8370-8, Remington's Revised Statutes) and chapter 9, Laws of 1939; adding two new sections to chapter 180, Laws of 1935, to be designated sections 8-a and 33 thereof; adding a new title to said chapter 180, Laws of 1935, to be designated title XIII thereof, imposing a tax with respect to the operation of certain coin-operated machines and devices and providing for the collection and enforcement thereof; and declaring an emergency whereby the act shall take effect May 1, 1939."

Senate Members

A. M. MURFIN
W. R. ORNDORFF
KEIRON W. REARDON

House Members

JOHN R. JONES
ROY J. KINNEAR
J. HOWARD PAYNE

Senator Maxwell moved the report of the free conference committee be adopted.

Senators Maxwell, Orndorff and Lovejoy demanded the previous question.

The previous question was ordered.

The Chair announced that the question before the Senate is on the motion of Senator Maxwell that the report of the free conference committee be adopted.

The motion by Senator Maxwell carried.

The Chair announced that the question before the Senate is the final passage of Engrossed Senate Bill No. 113, as amended in the free conference committee.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 113, as amended in the free conference committee and it passed the Senate by the following vote:

Those voting aye were: Senators Copeland, Drumheller, Duggan, Edwards, Ferryman, Holt, Keeler, Keller, Klemgard, Koontz, Kyle, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Mills, Moe, Murfin, Orndorff, Percival, Reardon, Roberts, Roup, Schroeder, Shorett and Troy—27.

Those voting nay were: Senators Atkinson, Dawson, Farquharson, Haddon, Kerstetter, Malstrom, Morgan, Rosellini, Sieler, Sullivan, Thomas, Todd, Voyce and Wanamaker—14.

Absent or not voting: Senators Bloomer, Henderson, McAulay, Murphy and Stinson—5.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 146:

The Secretary read:

REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed House Bill No. 146, entitled: "An Act relating to the collection of taxes; validating certain agreements heretofore executed for the payment of delinquent real property taxes in installments; and declaring an emergency.", have had the same under consideration, and we recommend that the bill do pass with the following amendments:

Amend the bill by striking everything after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. Chapter 146 of the Laws of 1913 is hereby amended by adding thereto a new section following section 3 (section 5352 Remington's Revised Statutes) to be known as section 3a, reading as follows:

"Section 3a. After the charge shall have been filed in the appropriate office, and before a ballot synopsis shall be prepared by the officer having the duty of preparing the same under the preceding section of this chapter, the person, committee, or organization filing said charges, if it desires to press the same under the provisions of chapter 146, of the Laws of 1913, shall be required to commence and file a civil action for a declaratory judgment in the superior court of either the county in which the office is located, or in which the officer sought to be recalled resides, alleging the filing of the charge in the appropriate public office, setting out in the complaint the charge so filed, and praying the court to declare whether the charge so filed is legally sufficient upon its face, in whole or in part, under the Constitution and statutes of this state relating to recall of elective public officers, and whether there is any substantial evidence in support of said charge. The officer against whom such charge has been filed and the officer with whom such charge has been filed shall be named as defendants in such civil action. Civil process in the form of the usual twenty days summons in a civil action shall be served by the sheriff of the county in which the action is brought upon each of the said defendants, together with a copy of the complaint. The said defendants, or either of them, within the time specified in said summons, may file an answer or demurrer to said complaint; and thereafter, upon the issue duly made and duly brought on for hearing after notice in the usual manner, the court shall determine the legal sufficiency of the charge upon its face and whether there is any substantial evidence in support of said charge and render judgment accordingly. For the purpose of determining the legal sufficiency of the charge, and the legal sufficiency of the evidence in support thereof, the cause shall be tried at such hearing in the same manner as any other civil action upon oral and other legal evidence, with full right of cross-examination and production of witnesses. To the extent that the court shall hold said charge or any portion thereof legally sufficient and supported by substantial evidence the judgment shall direct the officer with whom said charge has been filed under the preceding section hereof to formulate a ballot synopsis as in said section provided. If neither defendant named in said civil action shall answer or demur within the time specified in said summons the court shall nevertheless, upon being advised in such manner as it shall deem proper, determine the legal sufficiency of the charges and of the evidence and enter judgment as herein-above provided. Any judgment under this section may be reviewed in the supreme court on appeal or certiorari, at the election of the aggrieved party or parties, in the same manner as in other civil cases, and the superior court shall have power to stay the execution of its judgment upon such review upon such security as to the court may seem proper. This section shall apply to any recall proceeding hereafter commenced; and in any such proceeding now pending the legal sufficiency of the charge and of the evidence shall first be determined in the manner herein provided before the same shall proceed further."

"SEC. 2. This act is necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions and shall take effect immediately."

Amend the title to read as follows:

"An Act relating to the recall of elective public officers and to carry out the provisions and facilitate the operation and effect of sections 33 and 34 of article 1 of the state Constitution and amending chapter 146 of the Laws of 1913 by adding thereto a new section following section 3 (section 5352 Remington's Revised Statutes), to be known as section 3a, and making said section applicable to any recall proceeding now pending or hereafter initiated, and declaring an emergency."

Senate Members

ROBERT T. McDONALD
W. R. ORNDORF
JOE L. KEELER

House Members

D. L. UNDERWOOD
A. A. MACKIE
EDWARD J. REILLY

Senator Lovejoy moved the adoption of the report of the free conference committee.

Senator Duggan assumed the chair.

Senator Metcalf moved that the report of the committee be not adopted and that the bill be referred back to the committee with instructions to report on the bill as it was originally referred to them.

Senators Orndorff, Keller and Kyle demanded the previous question.

The previous question was ordered.

The Chair announced that the question before the Senate is on the motion by Senator Lovejoy that the report of the free conference committee be adopted.

The Secretary called the roll on the adoption of the report of the committee and the motion by Senator Lovejoy carried by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Drumheller, Duggan, Edwards, Ferryman, Haddon, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McDonald, McMillan, Moe, Murfin, Orndorff, Percival, Roberts, Rosellini, Roup, Shorett, Sieler, Troy and Wanamaker—26.

Those voting nay were: Senators Atkinson, Dawson, Farquharson, Holt, Kerstetter, Kyle, Malstrom, Metcalf, Mills, Morgan, Reardon, Schroeder, Sullivan, Thomas, Todd and Voyce—16.

Absent or not voting: Senators Henderson, McAulay, Murphy and Stinson—4.

Senators Reardon, Orndorff and Drumheller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 146 as amended by the free conference committee and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Ferryman, Haddon, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Moe, Murfin, Orndorff, Roberts, Rosellini, Shorett, Sieler, Troy and Wanamaker—26.

Those voting nay were: Senators Atkinson, Farquharson, Holt, Kerstetter, Kyle, Malstrom, Mills, Morgan, Reardon, Schroeder, Sullivan, Thomas, Todd and Voyce—14.

Absent or not voting: Senators Henderson, McAulay, Murphy, Percival, Roup and Stinson—6.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 213 and has granted the powers of free conference, and the report of the conference committee is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 213, entitled: "An Act defining and regulating the business of making loans in the amount of \$300 or less;" etc., have had the same under consideration, and we report we are unable to agree and ask that the powers of free conference be granted.

Senate Members

FRED S. DUGGAN
H. I. KYLE
PEARL A. WANAMAKER

House Members

MARK M. MOULTON
WILL W. WENTWORTH
JULIA BUTLER

On motion of Senator Drumheller, the conference committee on Engrossed Senate Bill No. 213 was granted the powers of free conference.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the conference committee on Engrossed Senate Bill No. 467 and has receded from its amendment and passed the bill without the House amendment. The bill together with the report of the conference committee are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

REPORT OF CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 467 entitled: "An Act relating to unemployment; providing for the relief of unemployed persons by making available fund for the sponsoring of public works and work relief projects on the part of the state and its political subdivisions; defining the duties of certain officers in relation thereto, making an appropriation therefor, and declaring an emergency whereby the act shall take effect April 1, 1939.", have had the same under consideration, and we recommend that the Senate refuse to concur in the House amendment thereto and ask the House to recede therefrom.

Senate Members

PEARL A. WANAMAKER
J. M. KOONTZ
F. L. MORGAN

House Members

EDWARD J. REILLY
DAN L. GUISINGER
ROBERT M. FRENCH

On motion of Senator Wanamaker, the report of the committee was adopted.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 433 and has passed the bill as amended by the Free Conference Committee. The bill and the report of the Free Conference Committee are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 433, "An Act making appropriations for the purchase of land, construction of buildings and improvements at designated state institutions; for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices; for the relief of certain individuals, corporations, counties and municipalities, for refunds and for deficiencies and for emergencies, including deficiencies and appropriation of revolving funds, and for purposes specified in certain acts of Congress, and for miscellaneous purposes designated for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, defining terms, limiting allowances and compensation and providing this act shall take effect immediately.", have had the same under consideration, and we recommend that it do pass with the following amendment:

Strike the whole of section 2 and insert in lieu thereof the following:

"Sec. 2. The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any of the moneys in the several funds in the state treasury hereinafter named for the payment of salaries of certain officers and employees of the state, and for the operation of certain state institutions, departments and offices, and for the purchase and improvement of land and construction of buildings and improvements for the various state institutions and for deficiencies, and for emergencies, and for sundry civil expenses of the state government, and for purposes specified in certain acts of Congress and for miscellaneous purposes hereinbelow designated and mentioned and hereinafter expressed, for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided.

FROM THE GENERAL FUND

FOR THE CENTRAL WASHINGTON COLLEGE OF EDUCATION:

Training School Building and equipment.....	\$94,600.01
Furnishings and seating equipment in auditorium.....	21,263.92
	\$115,863.93

(Being the reappropriation of the unexpended balance of appropriations made for like purposes by chapters 230 and 231, Laws of 1937)

FOR THE EASTERN WASHINGTON COLLEGE OF EDUCATION:

Library Building, additional boiler capacity and purchase of land.....	\$188,807.91
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(Being the reappropriation of the unexpended balance of appropriation made for the purpose by chapter 230, Laws of 1937)

FOR THE WESTERN WASHINGTON COLLEGE OF EDUCATION:

Capital outlays, major repairs and betterments.....	\$15,796.39
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(Being the reappropriation of the unexpended balance of appropriation made for the like purpose by chapter 230, Laws of 1937)

FOR THE STATE CAPITOL COMMITTEE:

From the General Fund.....	\$300,000.00
From the Capitol Building Construction Fund.....	158,559.21

Construction of additional unit to capitol group, including preparation of site and removal of old buildings..... \$458,559.21
 (Being the reappropriation of the unexpended balances of appropriations made for the like purposes by chapter 230, Laws of 1937)

FROM THE CAPITOL BUILDING AND CONSTRUCTION FUND

FOR THE STATE CAPITOL COMMITTEE:

Purchase of land adjoining capitol group.....	\$6,500.00	
Revision of roadways and walks.....	11,057.69	
Des Chutes water basin improvement.....	147,557.15	
Purchase of land for capitol additions.....	23,869.75	
		\$188,984.59

(Being the reappropriation of the unexpended balances of appropriations made for the like purposes by chapter 159, 160 and 230, Laws of 1937)

FROM THE GENERAL FUND

FOR THE LADIES OF THE GRAND ARMY OF THE REPUBLIC HOME at Puyallup, Washington (payable quarterly)..... \$3,000.00

FOR THE DEPARTMENT OF SOCIAL SECURITY:

Grants-in-aid	\$398,869.09
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(Being the reappropriation of the unexpended balance of grants and allotments made from the appropriation and reappropriation to the Department of Social Security by chapters 180 and 231, Laws of 1937)

FROM THE PARKS AND PARKWAY FUND

FOR THE STATE PARKS COMMITTEE:

Purchase or condemnation of real estate situated in San Juan County, State of Washington: The E½ of the SW¼ and the W½ of the SE¼ of section 20 in township 37, range 1 W.W.M.....	\$1,800.00
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FROM THE GENERAL FUND

FOR THE GOVERNOR'S OFFICE:

Contingency and emergency purposes to be disbursed on vouchers approved by the Governor for services under contract between the Federal Government and any state department or board whose functions are temporarily held in abeyance by court action, including deficiencies..... \$14,758.72
 (The State Board for Vocational Education is hereby authorized to reimburse any other state fund for expenditures made therefrom for vocational education purposes from the appropriations made to it in House Bill 450, using either the current school fund for salaries, wages and operations or from the United States Vocational Education Fund or a combination of both such appropriations.)

FOR JUDGMENTS:

Acme Finance Company, judgment for costs in re: Acme Finance Company, a Corporation vs. Harry C. Huse, Director of Licenses, et al., Thurston County No. 17105.....	\$124.90
Associated Students, University of Washington, judgment for costs in re: Associated Students, University of Washington vs. H. H. Henneford et al., as Tax Commission, State of Washington, Thurston County No. 16173	\$21.00
Associated Students, State College of Washington, judgment for costs in re: Associated Students, State College of Washington vs. H. H. Henneford et al., as Tax Commission of Washington, Thurston County No. 16174...	\$21.00
Ellis C. Ayer, Thurston County Clerk, judgment for costs in re: State ex rel. G. W. Hamilton, Atty. General vs. Ellis C. Ayer, Thurston County Clerk	\$79.50
Bank of California, Trustee, judgment for costs in re: In the matter of the estate of Wm. F. Sheard, deceased, Pierce County No. 25866.....	\$114.85

Philip Bronson, judgment for costs in re: Philip Bronson vs. H. H. Henneford, et al., as State Tax Commission and E. Lloyd Nelson, Intervener Thurston County No. 16161.....	\$145.06
Carlisle Lumber Co., judgment for costs in re: Carlisle Lumber Co. vs. H. H. Henneford et al., as Tax Commission of Washington, Thurston County No. 16179.....	\$70.03
Gwin, White & Prince, Inc., judgment for costs in re: Gwin, White & Prince, Inc., vs. Harold H. Henneford, et al., Thurston County No. 16434	\$238.45
Jackson, H. V., Administrator, judgment for costs in re: Estate of Frank Latmer, deceased, vs. William H. Pemberton, Supervisor Inheritance Tax Division, Pierce County No. 26334.....	\$46.10
LeFevre, J. L., Individually and as Executor of the estate of Nellie F. LeFevre, deceased, judgment, and costs in re: J. P. LeFevre, et al., vs. State of Washington, Spokane County No. 97906.....	\$3,959.30
E. Lloyd Nelson, judgment for costs in re: Philip Bronson vs. H. H. Henneford, et al., as State Tax Commission and E. Lloyd Nelson, Intervener Thurston County No. 16161.....	\$55.00
Pacific Telephone & Telegraph Co., judgment for costs in re: State of Washington vs. Pacific Telephone & Telegraph Co., Thurston County No. 17199	\$214.15
Pacific Telephone & Telegraph Co., judgment for costs in re: Pacific Telephone & Telegraph Co. vs. Tax Commission, State of Washington, Thurston County No. 17701.....	\$228.25
Petroleum Navigation Co., judgment for costs in re: Petroleum Navigation Co. vs. H. H. Henneford, et al., as Tax Commission of Washington, Thurston County No. 16189.....	\$72.40
Port of Port Angeles, judgment for costs in re: Port of Port Angeles, et al., vs. H. H. Henneford et al., as Tax Commission of Washington, Thurston County No. 16525	\$250.44
Thompson Securities Company, judgment for costs in re: Acme Finance Company, a Corporation, vs. Harry C. Huse, Director of Licenses, et al., Thurston County No. 17105	\$92.75
Weyerhaeuser Timber Co., judgment for costs in re: Weyerhaeuser Timber Co. vs. H. H. Henneford et al., as Tax Commission of Washington, Thurston County No. 16180.....	\$86.80
Morris Williams, judgment for costs in re: Morris Williams vs. G. W. Hamilton, Atty. General et al., Thurston County No. 17155.....	\$106.30

FROM THE HIGHWAY SAFETY FUND

Alexander, J. F., judgments for damages and costs in re: Matter of J. F. Alexander vs. Ed Robinson, King County No. 297049.....	\$1,591.00
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FROM THE MOTOR VEHICLE FUND

Telander Construction Company, balance of unpaid judgment, costs and interest re: Telander Construction Company vs. State of Washington, Thurston County No. 15466, for which insufficient appropriation was made by the Legislature of 1937. Assigned to Tom W. Holman, Attorney	\$483.51
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FROM THE PUBLIC SERVICE REVOLVING FUND

Chicago, Milwaukee, St. Paul & Pacific Railroad Co., judgment and costs in re: Chicago, Milwaukee, St. Paul & Pacific Railroad Co., vs. State of Washington, Thurston County No. 14911.....	\$8,884.74
Great Northern Railway Co., judgment and costs in re: Great Northern Railway Co. vs. State of Washington, Thurston County No. 14908.....	\$25,978.52
Great Northern Railway Co., judgment for costs in re: State of Washington vs. Great Northern Railway Co., Thurston County No. 15417.....	\$47.25
Northern Pacific Railway Co., judgment and costs in re: Northern Pacific Railway Co. vs. State of Washington, Thurston County No. 14909.....	\$47,716.20

Northern Pacific Railway Co., judgment for costs in re: State of Washington vs. Northern Pacific Railway Co., Thurston County No. 16428.....	\$239.77
Oregon, Washington Railroad and Navigation Co., judgment and costs in re: Oregon, Washington Railroad and Navigation Co. vs. State of Washington, Thurston County No. 14910.....	\$3,779.60

FROM THE GENERAL FUND

LOCAL IMPROVEMENT ASSESSMENTS:

Sundry Municipalities, for local improvement assessments against State-owned lands as follows: <i>Provided</i> , That the payments for local improvement assessments from the following appropriations shall be made only in accordance with the terms and provisions of section 8129, Remington's Revised Statutes.	
For the Treasurer of the City of Olympia:	
Local Improvement Districts Nos. 75, 95, 126, and 274.....	\$663.63
For the Treasurer of the City of Seattle:	
Ordinance 12502 Local Improvement Districts Nos. 895, 1187, 1542, 1700, 2075, 2133, 2428, 2495, 2518, 2569, 2560, 2742, 2754, 2805, 2893, 3053, 3151, 3240, 3268, 3275, 3277, 3289, 3290, 3425, 3709, 4095, 4268, 4519, 4564, 4616, 4732, 4751, 4917, 4934, 4995, 5199, 5282, 5346, 5363, 5374, 5402, 5422, and 5423.....	\$27,325.55
For the Treasurer of the City of Spokane:	
Local Improvement Districts Nos. 2248, 2266, 2276, 2288, 2289, 2290, 2293, 2296, 2320 and 2333.....	\$2,670.61
For the Treasurer of Benton County:	
Priest Rapids Irrigation District.....	\$5,515.01
Sunnyside Irrigation District.....	4,543.79
Sunnyside Valley Irrigation District.....	1,120.24
Yakima-Benton Irrigation District.....	157.60
Drainage District No. 6.....	250.87
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	\$11,587.51
For the Treasurer of Cowlitz County:	
Diking Districts Nos. 5, 11 and 15.....	\$959.58
For the Treasurer of Grays Harbor County:	
Drainage District No. 4.....	\$1,271.82
For the Treasurer of Island County:	
Drainage District No. 3.....	\$21.26
For the Treasurer of Kittitas County:	
Kittitas Reclamation District.....	\$2,481.00
For the Treasurer of Klickitat County:	
White Salmon Irrigation District.....	\$20.00
For the Treasurer of King County:	
Drainage Districts Nos. 1 and 6.....	\$39.15
Escheats Nos. 160, 171, 173, 182A, 182B, 191A, and 191B.....	618.26
Commercial Waterway District No. 1.....	69.17
Commercial Waterway District No. 2.....	3.34
	<hr/>
	\$729.92
For the Treasurer of Okanogan County:	
Methow Valley Irrigation District.....	\$33.63
Whitestone Reclamation District.....	3,205.00
Wolf Creek Reclamation District.....	265.00
	<hr/>
	\$3,503.63
For the Treasurer of Pend Oreille County:	
Diking District No. 2.....	\$60.66
For the Treasurer of Skagit County:	
Diking Districts Nos. 1, 5 and 15, Drainage Nos. 14 and 15.....	\$411.18
For the Treasurer of Thurston County:	
Drainage District No. 3.....	\$20.70
Joint Drainage Improvement District No. 7.....	191.16
	<hr/>
	\$211.86

For the Treasurer of Yakima County:

Local improvement assessments against state lands (state fair grounds) lying in Section 29, Township 13, Range 19, Dike District No. 1, Yakima County, for the years 1928 to 1938 inclusive	\$41.38
Local improvement assessments (Moxee Road) against state lands (state fair grounds) lying in Section 29, Township 13, Range 19, for the years 1931 and 1932.....	36.85
Drainage District No. 32.....	793.64
Sunnyside Valley Irrigation District.....	122.44
Yakima-Benton Irrigation District.....	191.90
Drainage Districts Nos. 37 and 41.....	1,226.81
Summitview, Cowiche and Tieton Road Improvement District	355.54
Nob Hill and Ahtanum Road.....	796.98
Buena-Toppenish Road	45.76

 \$3,611.30

For the Treasurer of the City of Centralia:

Local Improvement District No. 64.....	\$141.41
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For the Treasurer of Wahkiakum County:

Diking District No. 1.....	\$571.20
Diking Improvement District No. 4.....	33.70

 \$604.90

For the Treasurer of Whatcom County:

Drainage District No. 7.....	\$50.63
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FROM THE CAPITOL BUILDING CONSTRUCTION FUND

FOR THE STATE CAPITOL COMMITTEE:

For DesChutes water basin improvement.....	\$98,000.00
For planting lawn and shrubbery around Social Security and new building	\$2,500.00

FROM THE TEACHERS' RETIREMENT FUND

FOR THE STATE TEACHERS' RETIREMENT SYSTEM:

To reimburse the General Fund for disbursement made on account of the Teachers' Retirement Fund.....	\$10,000.00
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FROM THE GENERAL FUND

FOR THE STATE LIBRARY:

Salaries, wages and operations.....	\$5,900.00
(To become available only in the event that this appropriation is necessary to secure additional funds provided by the Federal Government for use of the library)	

FOR THE WASHINGTON STATE PROGRESS COMMISSION:

For capital outlay, operations and maintenance of state's exhibits at the Golden Gate International Exposition and New York World's Fair; for salaries and wages in connection therewith; for exhibits at World's Poultry Congress; for exhibit at National Dairy Show.....	\$82,500.00
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FOR THE STATE SCHOOL EQUALIZATION FUND to be available on approval of the Governor	\$750,000.00
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FOR DISTRIBUTION OF FUNDS received under the Federal Act of June 28, 1934, 48 Stat. 1273, section 10. These funds to be distributed to counties from which receipts were derived.....	\$5,000.00
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FOR BOARD OF PRISON TERMS AND PAROLES:

Salaries and wages.....	\$9,800.00
Operations	8,630.00

 \$18,430.00

FOR THE RETIREMENT FUND, Judges of the Supreme and Superior

Courts, deficiency	\$1,800.00
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FOR THE CENTRAL WASHINGTON COLLEGE OF EDUCATION:

Purchase of dormitories and/or student activities buildings.....	\$160,500.00
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FROM THE HIGHWAY SAFETY FUND

For the Relief of the Following Individuals, Firms and Corporations:

Electric Storage Battery Co., supplies furnished in previous biennium to Washington State Patrol.....	\$22.46
Goodyear Tire & Rubber Co., supplies furnished in previous biennium to Washington State Patrol.....	\$1.87
Krienke Motor Co., supplies furnished in previous biennium to Washington State Patrol.....	\$19.95
Mason, Walsh, Atkinson, Kier Co., services furnished in previous biennium to Washington State Patrol.....	\$8.40
Morford-Blangy Motors, Inc., supplies furnished in previous biennium to Washington State Patrol.....	\$3.19
Shelton Garage, supplies and services furnished in previous biennium to Washington State Patrol.....	\$8.00
Smith, Archibald C., personal injuries suffered in collision with a State Patrol car December 27, 1937.....	\$1,733.57
Valvoline Oil Co., supplies furnished in previous biennium to Washington State Patrol	\$117.59

FROM THE MOTOR VEHICLE FUND

Adams, Mrs. Evelyn, personal injuries received in accident near Kelso, July 25, 1938.....	\$215.00
Baldwin, Ralph R., refund of tax on 528 gallons of gasoline.....	\$26.40
Ballantyne, D. J., damages to automobile caused by inadvertence of employee of Department of Highways.....	\$7.50
Branham Co., Ben P., 10 reference books delivered January, 1937, F. R. Marshall No. 126638, voucher submitted subsequent to March 31, 1937... ..	\$7.50
Brommer Bros., damages sustained by uncontrolled fire set by maintenance employees of State Department of Highways.....	\$50.00
Capital Stationers, Inc., carbon paper furnished September, 1936, on purchase order 247033, voucher submitted subsequent to March 31, 1937..	\$4.75
Chehalis Western Railroad Co., refund of tax on 300 gallons of gasoline..	\$15.00
Citizens' Utilities Co., electric service for February and March, 1937, vouchers submitted subsequent to March 31, 1937 (Spokane).....	\$2.50
City of Bellingham, Treasurer of, delinquent local improvement assessments on R/W purchase by the State Department of Highways.....	\$1,868.05
Clerk of Thurston County, court fees from January 1, 1935, to March 31, 1937, cases supported by sworn vouchers.....	\$265.40
Columbia & Okanogan Nursery Co., water bill of October, 1936, voucher submitted subsequent to March 31, 1937.....	\$12.00
Davis & White, Inc., refund of tax on 1,701 gallons of gasoline.....	\$85.05
Devereaux, Keith, refund of tax on 168 gallons of gasoline.....	\$8.40
Dunbar, Luther, damages to automobile sustained in collision with State Highway equipment near Entiat, Washington, December 27, 1936.....	\$59.94
Elway, Harry, damages to automobile sustained in collision with State Highway equipment September 21, 1937.....	\$150.00
Fairbanks, Morse & Company, supplies purchased by Director of Highways, October 25, 1937.....	\$207.38
Gaines, Henry L., refund of tax on 82 gallons of gasoline.....	\$4.10
Grange Supply Company, Inc., of Odessa, Washington, refund of tax on 1,764 gallons of gasoline.....	\$88.20
Great Northern Railway Company, damages sustained to track by blasting in vicinity of Boundary, Washington, September, 1938.....	\$23.23
Great Northern Railway Company, repairs to railroad bridge near Brewster, Washington, damaged by a State Highway truck.....	\$53.22
Green, A. C., damages to automobile tire sustained in connection with an accident on State Highway No. 101 near Port Angeles, Washington, September 1, 1938.....	\$14.19
Erickson, E. R., refund of sales tax on materials used on contract which was under way during enactment of law.....	\$2,394.06
Haines, Francis M. and Caddie, damages to automobile and personal injuries suffered in accident on State Highway No. 10 in Douglas County, November 21, 1937.....	\$1,978.30

Home Insurance Co. (Chester Chase), damages to automobile sustained in collision with State Highway equipment near Cle Elum, Washington, February 10, 1938.....	\$125.25
Howard, Frank L., damages sustained in collision with State Highway truck, December 21, 1938.....	\$25.00
Kalmback, J. E., water rent for January, February and March, 1937 (Vancouver), vouchered subsequent to March 31, 1937.....	\$3.60
Larsen, Harry, damages sustained in collision with State Highway equipment, January 30, 1937.....	\$13.95
Lawson, W. H., 200 yards of gravel sold to Highway Department in June and July, 1926. Vouchered June 25, 1938.....	\$10.00
Linscott, P. A., damages sustained in collision with State Highway equipment December 23, 1938.....	\$21.50
Marchant Calculating Machine, repairs to calculator December, 1936 (Seattle), vouchered subsequent to March 31, 1937.....	\$4.20
Moore, Ben, refund of tax on 508 gallons of gasoline.....	\$25.40
Morrell, Marjorie, damages sustained in collision with State Highway equipment on Highway No. 3 near Oakesdale, Washington, September 28, 1937.....	\$83.25
Motor List Co., Inc., 1937 license directory furnished in February, 1937 (Seattle), vouchered subsequent to March 31, 1937.....	\$30.00
Nichols, Harold, damages to automobile sustained in collision with State Highway equipment January 17, 1939.....	\$33.60
Northwest Testing Laboratories, inspection and testing materials, February, March, April and June, 1936, vouchered subsequent to March 31, 1937.....	\$692.44
Northwest Testing Laboratories, services rendered Department of Highways in October and November, 1936, vouchered subsequent to March 31, 1937.....	\$39.19
Ott, Richard B., damages to automobile sustained in collision with State Highway equipment near Tyler, Washington, September 20, 1937.....	\$353.38
Palmer, P. C., damages sustained in collision with State Highway equipment January 28, 1939.....	\$12.42
Phillips, J. C., ambulance service for Vance Thomas from Davenport to Spokane, February, 1925, vouchered subsequent to March 31, 1937.....	\$20.00
Poison Logging Co., refund of tax on 19,884 gallons of gasoline.....	\$994.20
Austin, A. W., damages to automobile sustained in collision with highway equipment January 4, 1939.....	\$28.86
Brown, M. A. and Harriet, damages to automobile in accident with highway equipment July 28, 1937.....	\$164.19
Domerude Brothers, refund of tax on 335 gallons of gasoline.....	\$16.75
Hagglund, Levoy, damages to automobile in accident with highway equipment December 4, 1937.....	\$44.31
For the Relief of the Following Individuals, Firms and Corporations:	

FROM THE CURRENT SCHOOL FUND

Clerk of Thurston County, court fees from January 1, 1935, March 31, 1937, Case 16314.....	\$9.00
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FROM THE FISHERIES FUND

Artisan's Cooperative Community, refund of wholesale dealer's license for the year 1936.....	\$10.00
Beck, C. O., refund of duplicate payment for gill net license for the year 1938.....	\$15.00
Clerk of Thurston County, court fees from January 1, 1935, to March 31, 1937, cases 15784, 16278, 16380 and 16466.....	\$20.80
Fish Commission of Oregon, refund of tax on fish collected in error from E. M. Johnson.....	\$122.89
Gizdavich, John, refund of tax collected on fish in error.....	\$223.88
Metcaif, M. E., collision with equipment of the Fisheries Department, December 10, 1938.....	\$200.00

FROM THE GAME FUND

Bell-Wyman Company, supplies furnished Game Department in previous biennium	\$134.99
Decker, W. C., damages to automobile and personal injuries received in collision with Game Department January 5, 1938.....	\$660.00
Rude, Fred O., cost of repairs to residence at Deep Creek, Washington, damaged by State Game truck September 1, 1937.....	\$33.50

FROM THE GENERAL FUND

Payton, Marie, compensation for her son, Dealo Payton, for sickness and injuries suffered in line of duty while a member of the National Guard..	\$1,000.00
Gibson, Addie, for loss of her husband, Israel Gibson, due to collision with truck owned by the Department of Social Security.....	\$2,500.00

FROM THE GENERAL FUND

Taylor, Ben F., compensation for expense account of undulant fever contracted while employed at the Washington State Penitentiary.....	\$600.00
Abbott, Charles W., refund of pharmacist's license fee for the year 1934...	\$10.00
Administratrix of the Estate of Stephen Matthews, refund of cash escheated to the State of Washington.....	\$3,021.48
Allstrom Printing Co., refund of corporation license fee for the year 1937..	\$15.00
American Plumbing & Steam Supply Co., supplies furnished Washington State Penitentiary in previous biennium.....	\$12.86
Ballard Lodge No. 827 B.P.O.E., refund of inheritance tax in the matter of the bequest of Charles Edward Thorpe.....	\$50.00
Born, Harry, damages sustained in collision with state equipment on Capitol Way, Olympia, February 25, 1938.....	\$12.06
Buchinger, Theobald, refund of overpayment of maintenance account of Augusta Morover, former patient at Western State Hospital.....	\$13.04
Buckley, Ralph, Sheriff, expense incurred in the previous biennium for transportation of inmates to state institutions.....	\$20.15
Burns, Lloyd T., in full settlement for injuries received in an accident in the Metropolitan Garage, Seattle, December 24, 1926.....	\$1,000.00
Clerk of Thurston County, court fees from January 1, 1935, to March 31, 1937, cases as supported by sworn vouchers.....	\$518.00
Cole, V. A., refund of notary fee.....	\$10.00
Curtiss, R. H., traveling expenses incurred while in the employ of the State School for Boys.....	\$12.04
Desert Gold Production Corporation, refund of corporation license fee for the year of 1938.....	\$15.00
Dick Co., R. & J., supplies furnished State School for Girls in previous biennium	\$23.03
Dorsch, F. W., reimbursement for expenses incident to the illness and death of his son, Warren E. Dorsch, formerly a member of the Washington National Guard, who was injured during military drill October 14, 1929	\$507.50
Federal Old Line Life Insurance Co., refund of duplicate payment of annual license fee for the year 1938.....	\$15.00
Finnell System, Inc., supplies furnished Capitol Buildings and Grounds in previous biennium	\$8.25
Fleischer, Everett, refund of purchase price of shore lands on Pine Lake, Washington	\$57.80
Frisbie Maple Syrup Co., Inc., supplies furnished State Custodial School in previous biennium.....	\$217.50
Garlock Packing Co., The, supplies furnished State School for Girls in previous biennium	\$35.60
Gates, Roy G., account of injuries sustained June 25, 1923 (appropriated from wrong fund in 1937).....	\$1,000.00
Geveke, Edna C., refund of overpayment of maintenance account of Laura Erickson, former patient at Western State Hospital.....	\$5.15
Gladding, McBean & Co., supplies furnished State Soldiers' Home in previous biennium	\$12.50

Glasgow, Robert B., compensation for injuries received June 24, 1927, while on active duty as a member of the Washington National Guard...	\$350.00
Gross, Clara R., witness fee before special Senate Investigating Committee, February 1 and 2, 1937.....	\$4.80
Gross, Wm. H., witness fee before special Senate Investigating Committee, February 1 and 2, 1937.....	\$4.80
Horton, E. S., transportation and medical aid treatment for eye injury suffered while employed as engineer in the Old Capitol Building, in August 1925	\$43.75
Howe, Walter C., refund of overpayment of maintenance account of Laura Howe, former patient at Western State Hospital.....	\$14.30
Humphries, J. Orville, refund of overpayment of inheritance tax on the estate of James Anderson, No. 28966, Superior Court for Spokane County	\$838.78
Hoxey, T. E., estate, refund of overpayment of inheritance tax.....	\$1,391.15
Johnson, Lottie, personal injuries suffered in an accident at the State School for the Blind, January 2, 1939.....	\$405.40
Kee Lox Manufacturing Co., supplies furnished Department of Finance, Budget and Business in previous biennium.....	\$3.00
Labor and Industries, Department of, services furnished State School for Girls in previous biennium.....	\$37.25
Lang, F. S. Mfg. Co., supplies furnished the State Soldiers' Home in the years 1935 and 1936.....	\$13.70
McGinnis, Mrs. A. J., damages to automobile sustained in collision with truck driven by employee of the Department of Public Welfare.....	\$23.63
McKinney, H. E., refund of Electrician's license fee remitted to State Treasurer, November 8, 1934.....	\$15.00
Meyers, John, injuries sustained October 18, 1934 (appropriated from wrong fund in 1937).....	\$750.00
Miceli, Mrs. John, supplies purchased by the Department of Public Welfare in previous biennium.....	\$7.70
Moody, Mae, unclaimed dividends from liquidation of the Fremont State Bank of Seattle, escheated to the Permanent School Fund.....	\$16.02
Nash, Vernon and Evelyn, damages and personal injuries in collision with Washington Emergency Relief Administration truck October 26, 1935	\$1,000.00
National Retailers Mutual Insurance Company subrogated claim of E. J. Murnen for damages in collision with equipment of State Department of Social Security, December 7, 1938.....	\$197.47
Northern Empire Mining Co., refund of corporation license fee for the year 1938	\$27.50
Olson, O. H., State Printer, printing of laws of legislative session of 1937	\$9,287.33
Pacific Highway Transport, services furnished State School for Girls in previous biennium	\$.50
Pacific Telephone & Telegraph Co., telephone service for House of Representatives for the period March 17, 1937, to April 15, 1937.....	\$24.67
Payne, Mr. and Mrs. G. W., expense in connection with death and funeral of their son Trevor, who was killed June 27, 1938, in a collision with a truck of the Washington National Guard.....	\$1,168.50
Pettibone, Carl A., refund of accountant's examination fee remitted to State Treasurer, October 10, 1931.....	\$25.00
Properties Improvement Corporation, refund of corporation license, for the period July 1, 1937, to June 30, 1938.....	\$15.00
Puget Sound Machinery Depot, supplies furnished Washington Veterans' Home in previous biennium.....	\$53.90
Puget Sound Machinery Depot, supplies furnished Washington State Penitentiary in previous biennium.....	\$178.56
Rhodes, Jay A., refund of overpayment of maintenance account of Hosie M. Rhodes, Northern State Hospital.....	\$1.29
Rose, J. M., reimbursement for rental and improvements on public lands by reason of cancellation of lease on NE¼ of the N½ of the SE¼ of section 36, township 34N., range 44, E.W.M., in Pend Oreille County..	\$53.00

Rhodes, Milton, court costs in the matter of Milton Rhodes vs. State of Washington and Director of Finance, Budget and Business, King County, No. 155908.....	\$87.44
Sequin Press, The, publication of constitutional amendments for Secretary of State in 1936.....	\$190.22
Snider, Claude C., receiver for the Riverton Sportsdome Inc., refund of racing license fee for May and June 1937.....	\$1,300.00
Standard Brands of California, supplies furnished State School for Girls in previous biennium.....	\$4.44
Stone & Trobridge, supplies furnished Western State Hospital in previous biennium.....	\$23.90
Taylor, Ruth, refund of unused beauty school license fee.....	\$136.44
Tieton Water Users Association, water assessments for the years 1937 and 1938 against state land in the Yakima-Tieton Irrigation Project.....	\$2,280.85
Young, Jemima, for the estate of William H. Young, to be paid to the Commissioner of Public Lands, and applied on principal on state land contract No. 5976 in the office of the Commissioner of Public Lands being relief for the purchase price of land taken by the United States Government.....	\$392.72
Underwood Elliott Fisher Co., supplies furnished Department of Finance, Budget and Business in previous biennium.....	\$183.45
United Gas Corp. of Washington, refund of corporation license fee for the year 1935.....	\$10.00
Vita-Min-Pro-Ducts Company, supplies furnished Western State Hospital in previous biennium.....	\$7.43
Young, J. C., refund of unclaimed dividend from liquidation of the Scandinavian-American Bank of Seattle.....	\$9.66
Zindorf, Edward L. and Cedric, refund of overpayment of inheritance tax on the estate of Helen J. Zindorf.....	\$38.00

FROM THE PENITENTIARY REVOLVING FUND

Tum-a-lum Lumber Co., supplies furnished Washington State Penitentiary in previous biennium.....	\$45.36
United Shoe Machinery Corp., supplies and services furnished Washington State Penitentiary in previous biennium.....	\$17.45

FROM THE MOTOR VEHICLE FUND

Post Electric & Machinery Co., repairs to blueprint machine in December 1936, vouchered subsequent to March 31, 1937.....	\$2.00
Post Exchange of Fort Lawton, refund of tax on 10,992 gallons of gasoline	\$549.60
Potlatch Yards, Inc., lumber delivered in October 1936, vouchered subsequent to March 31, 1937.....	\$4.25
Railway Express Agency, transportation charges for March, 1937, vouchered subsequent to March 31, 1937.....	\$4.37
Richards, Linford, damages to automobile sustained in collision with State Highway equipment December 24, 1937.....	\$69.24
Richards, W. M., damages to automobile sustained in collision with State Highway equipment near Leavenworth, Washington, July 12, 1938.....	\$28.41
Schons, B. A., damages to automobile sustained in collision with State Highway equipment near Leavenworth, Washington, February 17, 1937.	\$19.28
Schwabacker Hardware Co., scythes and snaths on purchase order 221236 (Spokane), August, 1935, vouchered subsequent to March 31, 1937.....	\$147.13
Scientific Supplies Co., calcium chloride delivered February, 1937, vouchered subsequent to March 31, 1937.....	\$1.55
Smith, John, damages to truck sustained in collision with State Highway equipment near Kelso, Washington, July 25, 1938.....	\$240.00
Stevens, James L., damages to automobile sustained in accident caused by loose plank on bridge near Scenic, Washington, July, 1938.....	\$12.75
Sunset Electric Co., motor repairs delivered January, 1936, vouchered subsequent to March 31, 1937.....	\$36.38
Sunset Electric Co., auto radio delivered November, 1935, on purchase order 225998 (Yakima), vouchered subsequent to March 31, 1937.....	\$48.15

Tidewater Associated Oil Company, refund of excess truck license fees paid in 1936.....	\$45.00
Treasurer of Okanogan County, taxes for the years of 1931 and 1932, on various lots in the town of Tonasket.....	\$21.35
Treasurer of Yakima County, taxes for the years of 1931, 1932 and 1933 on parts of property between Oak Flat and Nelson Bridge in Yakima County	\$28.63
Union Oil Co., 2 iron barrels delivered August, 1934 (Spokane), vouchered subsequent to March 31, 1937.....	\$10.00
Union Pacific Railroad Co., for destruction of bridge material by fire getting out of control October 22, 1938, in the course of burning weeds by State Highway employee.....	\$76.15
United Truck Lines, Inc., damages to truck sustained in collision with State Highway equipment near Spokane, Washington, February 17, 1938	\$338.79
Washington Water Power Co., light and power bill February and March, 1937 (Spokane), vouchered subsequent to March 31, 1937.....	\$20.11
Wenatchee Daily World, publication of notice in March, 1936, vouchered subsequent to March 31, 1937.....	\$1.50
Whitfield, Harold, damages to automobile sustained in collision with State Highway equipment April 15, 1938.....	\$195.42

FROM PARKS AND PARKWAY FUND

Shell Oil Company, gas and oil furnished the State Parks Committee in a previous biennium	\$68.44
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FROM THE UNIVERSITY OF WASHINGTON FUND

Squier, Paul, injuries sustained in University of Washington Chemistry Department, December 29, 1937.....	\$200.00
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FROM THE PUBLIC SERVICE REVOLVING FUND

Clerk of Thurston County, court fees from January 1, 1935, to March 31, 1937, cases supported by sworn vouchers.....	\$326.15
Gale, L. S., refund of contract hauling license for the year 1934	15.00
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	\$341.15

FROM THE RECLAMATION REVOLVING FUND

Clerk of Thurston County, court fees from January 1, 1935, to March 31, 1937, cases 16427 and 16429.....	\$6.00
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FROM THE MOTOR VEHICLE FUND

FOR THE TREASURER OF THURSTON COUNTY:	
For the retirement of delinquent Thurston County road bonds Nos. 398 to 577	\$201,750.00
FOR THE STATE AUDITOR:	
Salaries, Wages and Operations.....	\$3,000.00
FOR THE STATE TREASURER:	
Salaries and Wages.....	\$2,000.00

FROM THE GENERAL FUND

FOR THE STATE TREASURER:	
Salaries and Wages.....	\$1,000.00
FOR THE DEPARTMENT OF AGRICULTURE:	
For the Division of Dairy and Livestock, for enforcement of branding laws	\$8,263.00
FOR THE DEPARTMENT OF HEALTH:	
For County Public Health Work.....	\$60,000.00
FOR THE DEPARTMENT OF LICENSES:	
To carry out the provisions of Senate Bill No. 213.....	\$25,000.00
(Expenditures not to exceed receipts)	

FOR STATE TAX COMMISSION:

For Inheritance Tax and Escheat Division:

Salaries, Wages and Operations.....	\$6,000.00
For the purpose of defending suits brought by railroad companies con- testing their property taxes (to become available upon approval of the governor)	\$15,000.00

FROM THE HIGHWAY SAFETY FUND

TERRY, MRS. GEORGEA:

For three children, compensation for loss by death of their father. Rudger Terry, to be paid to the legally appointed guardian of said children and disbursed under Superior Court order for the support of said children, in full settlement.....	\$6,000.00
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FOR THE DEPARTMENT OF LICENSES:

To carry out the provisions of Senate Bill No. 25.....	\$35,000.00
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FROM THE CURRENT SCHOOL FUND

FOR THE STATE BOARD OF EDUCATION:

To be used for the purpose of assisting in the reorganization of school districts within the counties in accordance with the plans and recom- mendations of the Washington State Planning Council relating thereto, to be allotted by the governor.....	\$60,000.00
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FROM THE FISHERIES FUND

For the relief of James Hepburn et al.....	\$300.00
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FROM THE PUBLIC SERVICE REVOLVING FUND

FOR THE DEPARTMENT OF PUBLIC SERVICE:

To carry out the provisions of House Bill No. 535.....	\$300,000.00
Amendment to Engrossed Senate Bill No. 433. Section 2, page 10.	

FROM THE GENERAL FUND

To carry out the terms and provisions of chapter 154, Laws of 1935.....	\$2,500.00
Amendment to Engrossed Senate Bill No. 433. Section 2, page 10.	

FROM THE GENERAL FUND

FOR THE UNIVERSITY OF WASHINGTON:

To train teachers of physically and mentally handicapped children as re- quired by the State Board of Education according to the provisions of chapter 179, Laws of 1937.....	\$12,000.00
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Senate Members

JUDSON W. SHORETT
GORDON KLEMGARD
JOSEPH DRUMHELLER

House Members

JOHN R. HURLEY
C. WAYNE SWEGLE
CHARLES C. FINUCANE

Senator Klemgard moved the adoption of the report of the free conference committee.

Senator Sieler moved that the Senate ask the House to reconsider its action on Engrossed Senate Bill No. 433 and that the bill be again referred to the conference committee.

The Chair announced that the question before the Senate is on the adoption or the rejection of the conference committee report.

Senators Haddon, Keeler and Drumheller demanded the previous question. The previous question was ordered.

The Chair announced that the question now before the Senate is the adoption of the report of the free conference committee on Engrossed Senate Bill No. 433.

Senator Sieler demanded a division.

Senators Drumheller, Maxwell and Orndorff demanded the previous question.

The previous question was ordered.

Senator Duggan assumed the chair.

Senator Lovejoy moved that a vote be taken by division.

The motion of Senator Lovejoy carried.

The Chair announced that the question before the Senate is on the motion to adopt the report of the free conference committee on Engrossed Senate Bill No. 433.

The motion by Senator Klemgard to adopt the report of the free conference committee carried.

Senators Drumheller, Maxwell and Lovejoy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 433, as amended by the free conference committee, and it passed the Senate by the following vote:

Those voting aye were: Senators Bloomer, Copeland, Dawson, Drumheller, Duggan, Edwards, Farquharson, Ferryman, Haddon, Holt, Keeler, Keller, Klemgard, Koontz, Lovejoy, Maxwell, McDonald, McMillan, Metcalf, Moe, Murfin, Orndorff, Percival, Roberts, Roup, Schroeder, Shorett, Troy, Voyce and Wanamaker—30.

Those voting nay were: Senators Atkinson, Kerstetter, Kyle, Malstrom, Mills, Morgan, Reardon, Rosellini, Sieler, Sullivan, Thomas and Todd—12.

Absent or not voting: Senators Henderson, McAulay, Murphy and Stinson—4.

The bill, having received the constitutional majority, was declared passed.

There being no objection, the title of the bill was ordered to stand as the title of the act.

Engrossed House Bill No. 146:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has indefinitely postponed Engrossed House Bill No. 146 as amended by the Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk.*

Engrossed Senate Bill No. 213:

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Senate Bill No. 213 but the bill failed to pass. The bill and the report of the Free Conference Committee are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

REPORT OF FREE CONFERENCE COMMITTEE

Olympia, Wash., March 9, 1939.

Mr. PRESIDENT:

We, your Committee on Free Conference, to whom was referred Engrossed Senate Bill No. 213, entitled: "An Act defining and regulating the business of making loans in the amount of \$300 or less; providing for the licensing of persons engaged in such business; providing for the administration of this act and for the issuance of rules and regulations therefor; authorizing examinations and investigations by the director of licenses and the publication of reports thereof; and prescribing penalties.", have had the same under consideration, and we recommend:

That the Senate concur in the House amendment to section 1.

That the House recede from the House amendment to section 2.

That the Senate concur in the House amendment to section 3.

That the House recede from the House amendment to section 4 and that section 4 be amended by inserting in sub-division 2 thereof, in line 8 of the printed bill after the word "To" and before the word "solicit" the word "knowingly".

That section 5 be amended in line 28 of the printed bill by inserting before the words "The commissioner" the following sentence: "The director may prescribe reasonable rules and regulations for the recording of all financial transactions." and by striking the words "The commissioner" in said line and inserting in lieu thereof the word "He".

That the House recede from its amendment creating two new sections to be known as sections 5A and 5B and that the bill be amended by inserting after section 5 of the printed bill two new sections to be known as sections 6 and 7 to read as follows:

"Sec. 6. Every licensee hereunder may lend any sum of money not to exceed three hundred dollars (\$300) in amount and may contract for, and receive thereon, charges at a rate not exceeding three per cent (3%) per month on the first one hundred fifty dollars (\$150) and two per cent (2%) per month on the remainder of said loan: *Provided, however,* That said three per cent (3%) shall include in the aggregate all fees, charges, bonus, interest, expense, demands, or exactions of any nature whatsoever. No licensee shall charge or receive of the borrower or any other person on his or their behalf a greater rate of charge than three per cent (3%) per month. Such charges shall not be payable in advance and shall be computed on unpaid balances only."

"Sec. 7. A licensee may make a maximum charge of one dollar and fifty cents (\$1.50) on loans made hereunder where the charges herein allowed amount to less: *Provided,* That such charge of one dollar and fifty cents (\$1.50) shall not be collected on more than one loan of any one borrower during any thirty (30) day period."

That the House recede from the House amendment to section 6 and that said section be renumbered to be section 8.

That the Senate concur in the House amendment to section 7 and that said section be renumbered as section 9, and renumber subsequent sections consecutively.

That the Senate concur in the House amendment, adding a new section to be known as section 11 and that said section be renumbered as section 12.

That the Senate concur in the House amendment to line 3 of the title of the engrossed bill, being line 2 of the printed bill.

That the Senate concur in the House amendment to line 7 of the title of the engrossed bill, being line 3 of the Senate amendment.

That the Senate concur in the House amendment to line 7 of the title of the engrossed bill, being line 4 of the Senate amendment thereto, with the exception of the following words: "and repealing all acts and parts of acts which relate to the same subject matter as this act, so far as they are inconsistent with the provisions of this act." and strike the comma (,) after the word "regulated" in line 6 of the House amendment and insert in lieu thereof a period (.).

Senate Members

FRED S. DUGGAN
H. I. KYLE
PEARL A. WANAMAKER

House Members

MARK M. MOULTON
JULIA BUTLER
WILL W. WENTWORTH

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 94; also House Bill No. 175; also House Bill No. 271; also House Bill No. 324; also House Bill No. 379; also House Bill No. 382; and the same are herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

Senator Reardon assumed the chair.

The Secretary read:

SENATE RESOLUTION

By Senator Ferryman:

Be It Resolved, By the Senate in ordinary Legislative Session Assembled, That the thanks of the Senate is hereby extended to the pastors of Olympia, who have served as chaplains during the session.

On motion of Senator Ferryman the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Wanamaker:

Be It Resolved, By the Senate in Ordinary Legislative Session Assembled:

WHEREAS, We, the members of the Senate, have had present with us as co-laborers during the Twenty-sixth Session, not only the members of the House of Representatives, but also representatives of the Fourth Estate; and

WHEREAS, The visiting newspaper correspondents of the various public journals of the state have, by their frequent courtesies, their close attention to business, and their careful account of the proceedings, worked, as we have striven to do, for the best interests of the people of the State of Washington, always with a kindly fellow feeling and with loyalty to the paper they represent;

Now, Therefore, Be It Resolved, That the Senate extend its thanks for the courtesies and good-will, its praise for good work well done, and the hope that in the Twenty-seventh Legislature all may meet again and renew old friendships.

On motion of Senator Wanamaker, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Edwards:

Be It Resolved, By the Senate in Ordinary Legislative Session Assembled:

WHEREAS, Members of the Twenty-sixth Session of the Washington State Legislature and their families have, during the past sixty days, enjoyed many courtesies and kindnesses extended to them by the residents of the City of Olympia; and

WHEREAS, They have made our visit pleasant and our duties less arduous during the sixty-day session; and

WHEREAS, The Hon. David Gammell, the Mayor of the City of Olympia, and other city officials of the City of Olympia, have cooperated and worked with the members of the Twenty-sixth Session of the Legislature to make it a success,

Now, Therefore, Be It Resolved, That the Twenty-sixth Senate of the State of Washington does hereby express its appreciation of the hospitality of the citizens of Olympia.

On motion of Senator Edwards, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Reardon:

WHEREAS, the office of Secretary of the Senate of the Twenty-sixth Session of the Legislature, and the duties incumbent thereon have been most efficiently performed by Earle M. McCroskey, as Secretary, and his able assistant, A. J. Sharkey; and

WHEREAS, The services of the employees under the direction and control of the said Secretary have been in all respects satisfactory,

Be It Resolved, That the Senate hereby extends to the said Earle M. McCroskey and A. J. Sharkey and assisting employees its gratitude and appreciation; and

Be It Further Resolved, That a copy of this resolution be entered on the Senate Journal and a copy sent to each of the officers and employees of the Senate.

On motion of Senator Reardon, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Lovejoy:

Be It Resolved, By the Senate in Ordinary Legislative Session Assembled, That the President and Secretary be directed to secure the grouped and framed photographs of the members of the Senate and that the sum of one hundred dollars (\$100.00), or so much thereof as may be necessary, be allowed to defray the expenses of procuring said photographs, and that the President and Secretary be, and they are hereby authorized to make out the necessary vouchers upon which a warrant for said expense shall be drawn.

On motion of Senator Lovejoy, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Drumheller:

Be It Resolved, By the Senate in Ordinary Legislative Session Assembled, That, after the close of the Session, the Secretary of the Senate and the President of the Senate be authorized to execute proper vouchers to the State Auditor for the payment of any expenses incurred by the Senate or that may be incurred in closing the business of the Senate, and which have not been paid at this time.

On motion of Senator Drumheller, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Keeler:

Be It Resolved, By the Senate in Ordinary Legislative Session Assembled, That the expense of clerk hire necessary in the certification of the Session Laws of 1939 be paid out of the appropriation for legislative expenses, upon vouchers executed by the Secretary of the Senate, and the President of the Senate.

On motion of Senator Keeler, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Maxwell:

WHEREAS, It is necessary for the Secretary of the Senate to have access to the Senate and Senate rooms in completing work in connection with closing the session, preparing and indexing the Journal,

Be It Resolved, That the Senate chamber and Senate rooms, equipment, supplies and appurtenances shall be under the supervision and control of the Secretary and that at the termination of the work he shall turn over to and deliver to the Director of Finance, Budget and Business, as official custodian, all keys and an inventory of equipment and supplies and take a receipt therefor.

On motion of Senator Maxwell, the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator Duggan:

Be It Resolved, By the Senate in Ordinary Legislative Session Assembled, That Earle M. McCroskey, Secretary of the Senate, be authorized and directed to have a copy of the Senate Journal, together with a suitable index therefor, prepared for the State Printer and that he be allowed for this work and for compiling, editing, proof-reading and indexing the printed Journal the sum of five hundred dollars (\$500.00), the amount allowed for that purpose in the appropriation bills. The State Auditor is authorized and directed to issue a warrant for one-half of the amount when the printer's receipt for copy is filed in his office, and the balance when the printer shall certify that the reading of the proof on the Journal index has been completed and the same found to be correct.

On motion of Senator Duggan the resolution was adopted.

The Secretary read:

SENATE RESOLUTION

By Senator McDonald:

Be It Resolved, By the Senate of the Twenty-sixth Session of the Legislature of the State of Washington:

That the members thereof desire to express their appreciation for the efficient and courteous service rendered by George E. Ryan as Senate Postmaster throughout the session just closing.

On motion of Senator McDonald, the resolution was adopted.

The Secretary read:

RESOLUTION

By Senator Schroeder:

Be It Resolved, By the Senate of the State of Washington:

THAT, WHEREAS, the committee appointed by the Senate to investigate conditions in the production and distribution of milk and milk products has reported that from their investigations, as yet incomplete, it is evident that there are serious maladjustments in the milk industry warranting further investigation and that the conditions in the industry are a serious handicap to producers and consumers of milk and milk products in many portions of the state;

Now, Therefore, *Be It Resolved*, That a committee composed of three members of the Senate, to be selected by the President thereof, be appointed for the purpose of conducting a further investigation of the production and distribution of milk and milk products in this state, and

Be It Further Resolved, That said committee be authorized to hold hearings at such places and times as may be convenient or desirable, to examine witnesses, make studies, and thoroughly explore conditions existing in the milk industry, and report back to the Legislature at its next session with definite recommendations for the correction and improvement of economic conditions affecting milk producers and consumers in this state.

On motion of Senator Schroeder, the resolution was adopted.

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bills Nos. 374, 427, 433, 467 and 113, have compared same with the original and engrossed bills and find them correctly enrolled.

Respectfully submitted,
GEO. A. LOVEJOY, *Chairman.*

We concur in this report: W. C. Dawson, Monty Percival, A. M. Murfin.

The report was ordered received.

The President signed House Bills Nos. 94, 175, 271, 324, 379; also 382; also Senate Bills Nos. 427, 374, 433, 467 and 113.

The chair announced that pursuant to a resolution, the chair is appointing to the Interim Milk Investigation, Senator Schroeder, chairman, Senator McMillan and Senator Todd.

Senator Shorett assumed the chair.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 427; also Senate Bill No. 374; also Senate Bill No. 433; also Senate Bill No. 467; also Senate Bill No. 113; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed House Bill No. 90; also House Bill No. 100; also House Bill No. 351; also Substitute House Bill No. 392; also House Bill No. 450; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Reardon assumed the chair.

The President signed House Bills Nos. 90, 100, 351 and 450; also Substitute House Bill No. 392.

The Secretary read:

SENATE CONCURRENT RESOLUTION NO. 6

By Senator Keeler:

Be It Resolved, By the Senate, the House concurring, that a joint committee of five members be appointed, two by the President and three by the Speaker, to notify the Governor that the Legislature is about to adjourn *sine die*.

On motion of Senator Sieler, the resolution was adopted.

MOTION

On motion of Senator Holt, his remarks with reference to the excellent services rendered the Senate by Joseph Mehan, Sergeant-at-Arms, were ordered spread on the records.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The House has adopted Senate Concurrent Resolution No. 6 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

REPORT OF COMMITTEE ON ENROLLED BILLS

Senate Chamber,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Concurrent Resolution No. 6, have compared same with the original resolution and find it correctly enrolled.

Respectfully submitted,

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: W. C. Dawson, Monty Percival, A. M. Murfin.

The President signed Senate Concurrent Resolution No. 6.

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has appointed Representatives Fry, Eddy and Phillips as members of the House of Representatives provided for in Senate Concurrent Resolution No. 6, to notify the Governor that the Legislature is about to adjourn *sine die*.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

MESSAGE FROM THE HOUSE

House of Representatives,
Olympia, Wash., March 9, 1939.

MR. PRESIDENT:

The Speaker has signed Senate Concurrent Resolution No. 6, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President appointed under Senate Concurrent Resolution No. 6, Senators Metcalf and Ferryman.

MOTION

On motion of Senator Holt, permission was granted to Senator Reardon to take the gavel used at this session.

A committee from the House, consisting of Representatives Fry, Eddy and Phillips appeared at the bar of the Senate and reported that the House was ready to adjourn.

The committee appointed under Senate Concurrent Resolution No. 6 to notify the Governor that the Legislature was about to adjourn *sine die*, reported that they had notified the Governor, and the Governor had extended congratulations on the splendid work he believed the Legislature had done at this session, and had stated that he had no further business to bring before the Legislature.

A delegation from the House was escorted to the bar of the Senate, and they notified the Senate that the House of Representatives of the Twenty-Sixth Regular Session of the Legislature of the State of Washington is ready to adjourn *sine die*.

The chair recognized the message from the House and asked the committee to inform the House that the Senate had concluded its business.

On motion of Senator Ferryman, the journal of the Senate of the Sixtieth day of the Twenty-Sixth regular session of the Legislature of the State of Washington was approved.

At 11:46 o'clock a. m., on motion of Senator Metcalf, the Senate of the Twenty-Sixth session of the Legislature of the State of Washington adjourned *sine die*.

VICTOR A. MEYERS, *President of the Senate.*

EARLE M. McCROSKEY, *Secretary of the Senate.*

APPENDIX

CONTAINING

THE GOVERNOR'S VETO MESSAGES
SENATE ROSTER
STANDING COMMITTEES
INDIVIDUAL COMMITTEE ASSIGNMENTS

List of Senate and House Bills Passed by both Houses and
Approved by the Governor (Giving Chapter
Number--Session Laws of 1939)

List of Senate and House Bills Vetoed by the Governor

GOVERNOR'S MESSAGES ON SENATE BILLS VETOED

March 16, 1939.

To the Honorable

The Senate of the State of Washington.

(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to section 2, Senate Bill No. 78, entitled:

"An act relating to the health, welfare and care of children in attendance at public schools; and repealing all acts or parts of acts in conflict therewith."

Section 2 is unnecessary, since the enactment of section 1 into law will supersede any conflicting statutory provisions. The section can result only in confusion and might conceivably act as a repeal of some salutary provision of law.

For this reason, section 2 is vetoed and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 21, 1939.

To the Honorable

The Senate of the State of Washington.

(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to item (f) of section 9 and section 33, Senate Bill No. 113, entitled:

"An act relating to taxation: amending sections 4, 5, 6, 11, 15(a), 16, 17, 18, 19, 21, 25, 27, 31, 32, 34, 35, 36, 37, 45, 47, 82, 84, 87, 89, 188, 193, 199, 210(a), 211 and 219 of chapter 180, Laws of 1935 (sections 8370-4, 8370-5, 8370-6, 8370-11, 8370-15(a), 8370-16, 8370-17, 8370-18, 8370-19, 8370-21, 8370-25, 8370-27, 8370-31, 8370-32, 8370-34, 8370-35, 8370-36, 8370-37, 8370-45, 8370-47, 8370-82, 8370-84, 8370-87, 8370-89, 8370-188, 8370-193, 8370-199, 8370-210(a), 8370-211 and 8370-219, Remington's Revised Statutes), as amended by chapter 191, Laws of 1937, and chapter 227, Laws of 1937; repealing section 8 of chapter 180, Laws of 1935 (section 8370-8, Remington's Revised Statutes) and chapter 9, Laws of 1939; adding two sections to chapter 180, Laws of 1935, to be designated sections 8-a and 33 thereof; adding a new title to said chapter 180, Laws of 1935, to be designated title XIII thereof, imposing a tax with respect to the operation of certain coin-operated machines and devices and providing for the collection and enforcement thereof; and declaring an emergency whereby the act shall take effect May 1, 1939."

The exemption contained in item (f) of section 9 is intended to encourage ship construction and repair work in this state. However, as the act is

worded, the exemption applies to materials, equipment, parts or articles used in the construction or repair of commercial vessels moving in interstate commerce and does not apply to any service, such as the labor going into such construction or repair. Therefore, the exemption would have little practical effect and would result in considerable confusion. I also doubt the propriety of the exemption when the main purpose of this amendatory act is to remove numerous other articles and services from sales tax exemption.

Section 33 may be readily construed as the opening wedge toward the legalizing and licensing of gambling devices by the state, and, while the state is in urgent need of revenue I do not believe we need revenue badly enough to become a party to such a questionable business. Until the legal status of these devices has been definitely established by the courts, I feel the state should not give any gambling operation such indirect license or implied protection.

For these reasons, item (f) of section 9 and section 33 are vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 17, 1939.

To the Honorable
The Senate of the State of Washington.
(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 150, entitled:

"An act relating to the reimbursement of the mayor and city councilmen of third and fourth class cities for expenses incurred in the discharge of their official duties, and to the payment of salaries to said officers, and amending section 7 of chapter 184 of the Laws of 1915, and section 6 of chapter 7, page 346, Laws of 1889-90."

There does not seem to be any general demand for this bill and it would necessarily result in increased tax burdens upon the taxpayers in our smaller cities and towns. Those public officials who would be affected by this bill are, in the main, people who willingly devote their time and effort to public service without thought or expectation of financial reward, and I believe such principle should be preserved. The offices of mayor and city councilmen in our third and fourth class cities and towns are not the type of public office to which a salary should attach, but rather are the type of public office which should be sought only by those who are willing to serve the public good.

For these reasons, Senate Bill No. 150 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 16, 1939.

To the Honorable
The Senate of the State of Washington.
(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 204, entitled:

“An act relating to the establishment of an unpaid commission to facilitate the cooperation of the State of Washington with other units of government.”

At the last session of the legislature I vetoed House Bill No. 551, which was identical in purpose and not materially different in detail from this bill. I am not aware of any change in conditions to justify a change in my action. The purpose of this bill may be worth while, but there would seem to be sufficient state agencies now created to carry out such purposes without creating another state commission, and without additional cost.

For these reasons, Senate Bill No. 204 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 20, 1939.

To the Honorable
The Senate of the State of Washington.
(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to all that portion of section 16, down to and including subdivision (d), and also subdivision (f), Substitute Senate Bill No. 219, entitled:

“An act relating to unemployment compensation, amending chapter 162 of the Laws of 1937, providing for the transfer of certain funds to the railroad unemployment insurance account in the United States treasury, making an appropriation.”

This bill makes many changes in our unemployment compensation law, which, in the main, I approve. I do not, however, believe that we should at this time reduce the employing unit from eight or more employees to one or more employees. The provision making such change is found in section 16 and is so tied into the remainder of the bill that a veto of that portion only is extremely difficult.

I have always believed that this state should not be backward in the matter of those social security laws relating to unemployment compensation. Prior to the enactment of the Federal unemployment compensation act, I proposed a law to the 1935 legislature, intended to bring our state into conformity with the contemplated Federal act. Our 1935 law was subsequently held invalid by the supreme court. I again proposed a similar bill, which was enacted by the 1937 legislature and which I approved. I do not, however, feel that this

state should attempt to go beyond the scope of the Federal law, which is still limited to employing units of eight or more employees. I am advised that, seemingly, there is no immediate prospect that the Federal law will be amended in this respect and the tendency in Congress seems to be not to expand the social security program at this time. If the Federal law should extend its coverage, provision is already made in our state law to make the same conform with such extension. Provision is also made so that any of the smaller groups who wish may bring themselves under the act through voluntary action.

I wish again to state that my sole purpose in vetoing those portions of section 16 which I have disapproved is to keep our unemployment compensation law, in so far as it governs the size of the employing unit, in conformity with the Federal law. At the same time I wish to preserve unimpaired the other provisions contained in this bill. I believe that the only way this can be accomplished is through the action I have taken.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 20, 1939.

To the Honorable

The Senate of the State of Washington.
(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 357, entitled:

“An act relating to admission to the practice of the law, amending section 8 of chapter 94 of the Laws of 1933 (section 138-8 of Remington’s Revised Statutes).”

In 1933 legislation was enacted designed to raise the standard of the legal profession. The principle involved in this bill runs counter to the principle involved in the 1933 act by making service in the legislature the equivalent of training in college, accredited law school or law office, as qualification for eligibility to take the bar examinations. If the existing restrictions now placed upon eligibility to take the bar examinations are to be liberalized, there would seem no sound reason why such liberalization should be limited to legislative services only.

For these reasons, Senate Bill No. 357 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 19, 1939.

To the Honorable

The Senate of the State of Washington.
(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval, Senate Bill No. 382, entitled:

“An act relating to the taking and reduction of pilchards, amending section 1, chapter 137, Laws of 1935 (section 5721-1, Remington’s Revised Statutes) and providing penalties for the violation hereof, and declaring that this act shall take effect January 1, 1940.”

In 1935 an act was passed which permitted the operation of pilchard reduction plants. Senate Bill No. 382 would forbid operation of floating reduction plants which have been operated in this state as a result of the 1935 act. This has become a highly controversial subject. It seems to me that more study should be given to this subject before action is taken barring this type of plant. In view of the fact that the act would not take effect until January 1, 1940, I disapprove the same, believing that proper legislation may be enacted at the next session of the legislature if further study determines that such action is necessary. In the meantime, I shall ask that a definite survey, both from a conservation and business standpoint, be made of the industry so that the next session of the legislature may take whatever action may be found necessary.

For these reasons, Senate Bill No. 382 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 12, 1939.

To the Honorable

The Senate of the State of Washington.
(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to section 24, Senate Bill No. 409, entitled:

“An act relating to the manufacture and distribution of candy and other confectionery products, and regulating the same; providing for the protection of public health and the prevention of frauds; defining terms; providing for permits and certificates and the procedure for revocation or suspension thereof; and prescribing penalties.”

This bill is, in part at least, a pure food and health measure. When it becomes a law it will necessarily supersede all laws or parts of laws in conflict therewith. This will be sufficient and will accomplish the same purpose

as section 24 without the possible danger of affecting any of the salutary laws now on the books designed for the safety and health of our people.

For this reason, section 24 is vetoed and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 20, 1939.

To the Honorable
The Senate of the State of Washington.
(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to sections 22 and 23, Senate Bill No. 427, entitled:

“An act relating to the care, support and relief of needy persons; defining terms; providing necessary means and procedure for the furnishing of public assistance to such persons; defining need and resources to govern the determination of eligibility of persons to assistance under this act, and fixing the responsibility of certain relatives with respect to support of needy persons; creating and/or defining the powers and duties of certain state and county officers in connection with the administration of public assistance; providing for appeals in certain cases; imposing penalties for violations of the act; providing for the levy of taxes; making appropriations; creating the Washington Welfare Survey Commission, defining its powers and duties and providing for its expenses; repealing chapter 180, Laws of 1937, excepting section 11, and all acts or parts of acts in conflict herewith, and declaring an emergency whereby the act shall become effective April 1, 1939.”

The Federal Social Security Board recommends that sections 22 and 23 of the bill be vetoed, in order to permit and facilitate cooperation with the Federal government. I have accordingly disapproved these sections.

For these reasons, sections 22 and 23 are vetoed and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 20, 1939.

To the Honorable
The Senate of the State of Washington.
(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items, Senate Bill No. 433, entitled:

"An act making appropriations for the purchase of land, construction of buildings and improvements at designated state institutions; for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices; for the relief of certain individuals, corporations, counties and municipalities, for refunds and for deficiencies and for emergencies, including deficiencies and appropriation of revolving funds, and for purposes specified in certain acts of Congress, and for miscellaneous purposes designated for the fiscal biennium beginning April 1, 1939, and ending March 31, 1941, except as otherwise provided, defining terms, limiting allowances and compensation, and providing this act shall take effect immediately."

I disapprove and veto the item "Taylor, Ben F., compensation for expense account of undulent fever contracted while employed at the Washington State Penitentiary, \$600.00," for the reason that we have no information available concerning this claim. The claim was not submitted to the Director of Finance, Budget and Business for investigation, consequently, we are unable to pass upon the validity of this item. If a proper investigation shows that there is merit to this claim, it can be resubmitted through the proper channels to the next session of the legislature.

I disapprove and veto the item "Burns, Lloyd T., in full settlement for injuries received in an accident in the Metropolitan Garage, Seattle, December 24, 1926, \$1,000.00." This is a claim that originated under the Industrial Insurance Act. Where claimants have exhausted their full legal rights under the Industrial Insurance Act, it does not seem a sound policy to ask for additional compensation from the general fund of the state. For this reason this item is vetoed.

I disapprove and veto the item "Dorsch, F. W., reimbursement for expenses incident to the illness and death of his son, Warren E. Dorsch, formerly a member of the Washington National Guard, who was injured during military drill October 14, 1939, \$507.50," for the reason that a doubt exists as to the liability of the state for claims of this nature. This claim has been consistently disapproved by former sessions of the legislature during the ten years since the illness was incurred.

I disapprove and veto the item "Gates, Roy G., account of injuries sustained June 25, 1933 (appropriated from wrong fund in 1937) \$1,000.00," for the reason that this is another claim where the claimant has exhausted his rights under the Industrial Insurance laws and in my opinion claim should not now be paid from the general fund of the state.

I disapprove and veto the item "Glasgow, Robert B., compensation for injuries received June 24, 1927, while on active duty as a member of the Washington National Guard, \$350.00," for the reason that this is another claim

for injuries happening years ago that have been consistently disapproved by previous sessions of the legislature.

I disapprove and veto the item "Meyers, John, injuries sustained October 18, 1934 (appropriated from wrong fund in 1937), \$750.00," for the reason that this is another case where the remedies under the Industrial Insurance Act have been exhausted and in my opinion no payment should be made from the general fund for such cases.

I disapprove and veto the item "For the State Treasurer: Salaries and Wages, \$1,000.00," for the reason that in my opinion other appropriations made for the state treasurer will have to be sufficient for carrying on the work of this office during the coming biennium.

I disapprove and veto the item "For the Department of Agriculture: For the Division of Dairy and Livestock, for enforcement of branding laws, \$8,263.00," for the reason that all activities of the Division of Dairy and Livestock have been included in the regular budget and appropriation acts incident thereto.

I disapprove and veto the item "For the Department of Licenses: To carry out the provisions of Senate Bill No. 213, \$25,000.00 (expenditures not to exceed receipts)" for the reason that Senate Bill No. 213 failed of passage, therefore this appropriation will be unnecessary.

I disapprove and veto the item "For inheritance Tax and Escheat Division: Salaries, Wages and Operations, \$6,000.00," for the reason that means will be found whereby this division can operate within the regular appropriation included in House Bill No. 450.

I disapprove and veto the item "For the University of Washington: To train teachers of physically and mentally handicapped children as required by the State Board of Education according to the provisions of chapter 179, Laws of 1937, \$12,000.00," for the reason that a separate appropriation for this purpose from the general fund is not necessary. I am instructing the regents of the University of Washington to make available \$12,000.00 or such portion thereof as is necessary for this purpose from the regular appropriation to the University.

With the exception of the foregoing items which are vetoed, the remainder of Senate Bill No. 433 is approved.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

March 19, 1939.

To the Honorable

The Senate of the State of Washington.

(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to section 4, Senate Bill No. 467, entitled:

"An act relating to unemployment; providing for the relief of unemployed persons by making available funds for the sponsoring of public works and

work relief projects on the part of the state and its political subdivisions, and by emergency grants-in-aid to counties for general assistance purposes; defining the duties of certain officers in relation thereto; making an appropriation, and declaring an emergency whereby the act shall take effect April 1, 1939."

The condition of the general fund of the state at this time does not justify this sizable appropriation on an emergency basis.

For this reason, section 4 is vetoed and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN,
Governor.

SENATE ROSTER, 1939
Twenty-sixth Session

VICTOR A. MEYERS, President

EARLE M. McCROSKEY, Secretary

NAME OF MEMBER	Dis-trict	County	Residence	Age	Birthplace	Occupation	Pol-itics	Previous Legislative Experience	
								Senate	House
Atkinson, N. P.	32	King	4524 6th N. E., Seattle	42	Washington, D. C.	Retired Printer	D.		
Bloomer, T. C.	19	{Pacific {Grays Har. pt Walla Walla	Seaview	54	Michigan	Hotel, Fruit Grower	D.	1937	
Copeland, Henry J.	11	Walla Walla	Mill Creek Road, Walla Walla	54	Washington	Farming	R.	1937	1935
Dawson, W. C.	43	King	3419 E. Laurelhurst Drive, Seattle	72	Ohio	Shipping	R.	1933-Ex. 33-34-35-37	
Drumbeller, Joseph	7	Spokane	1315 W. 20th, Spokane	38	Washington	Chemical Engineer	D.	1935-37	
Duggan, Fred S.	6	Spokane	W. 506 17th, Spokane	59	Ontario	Attorney	D.	1935-37	
Edwards, A. E.	41	Whatcom.	Star Route, Deming	58	Canada	Farmer	D.	1937	1932-Ex. 33-34-35
Farquharson, Mary U.	46	King	2123 E. 47th, Seattle	35	Washington	Educator	D.	1935-37	
Ferryman, John H.	12	Chehal	202 So. Franklin, Wenatchee	72	Pennsylvania	Farmer	D.	1917-19-Ex. 20-22-Ex. 33-34-35-37	
Haddon, Lulu D.	23	Kitsap	601 Naval, Bremerton	57	Iowa	Homemaker, Business Woman	D.	1937	1933-Ex. 33-34-35
Henderson, Dr. J. W.	18	{Cowlitz {Wahkiakum Spokane	Route No. 1, Longview	67	Illinois	Physician and Surgeon	D.	1937	
Holt, Alfred E.	4	Spokane	Columbia Building, Spokane	61	Norway	Property Manager	D.	1937	1935
Keefer, Joe L.	24	{Mason {Jefferson Oallam Adams	Sequim	65	Kansas	Insurance, Farming	D.	1937	
Keller, J. P.	8	{Ferry Lincoln Pierce	Odessa	44	Kansas	Auto Dealer	D.	1935-37	
Kerstetter, G. B.	29	Lincoln	4610 Park Ave., Tacoma	57	Kansas	Chiropractor	D.	1935-37	
Klengard, J. Gordon	9	Whitman	Pullman	45	Washington	Grain Grower	D.	1937	1935
Koontz, J. M.	1	{Okanogan {Douglas	Nespelem	48	Washington	Housing and Building Materials Attorney	D.	1937	
Kyle, H. I.	30	King	1432 Stevenson, Enumclaw	48	Nebraska		D.	1935-37	

SENATE ROSTER, 1939—Continued

NAME OF MEMBER	Dis-trict	County	Residence	Age	Birthplace	Occupation	Pol-ities	Previous Legislative Experience	
								Senate	House
Lovejoy, George A.....	36	King.....	1411 Fourth Ave. Bld., Seattle.	59	Nebraska.....	Insurance and Broker	D.	1933-Ex. 33-34-35-37	Oregon 1923
McAulay, George F.....	14	Yakima.....	304 N. 16th, Yakima.....	68	Michigan.....	Attorney.....	D.	1935-37	
McDonald, Robert T.....	45	King.....	5712 E. Greenlake, Seattle.....	51	Oregon.....	Insurance.....	D.		1935
McMillan, David E.....	2	{Stevens.....} {Pend Oreille.....}	Colville.....	41	Washington..	Farming.....	D.	1935-37	
Malstrom, Kathryn E.....	27	Pierce.....	2084 6th Ave., Tacoma.....	51	Minnesota.....	Business.....	D.	1933-Ex. 33-34-35	
Maxwell, Earl.....	31	King.....	Earlington.....	41	Washington..	Train Dispatcher.....	D.	1935-37	
Metcalfe, Ralph.....	26	Pierce.....	918 No. Yakima, Tacoma.....	77	Rhode Island.	Retired.....	R.	1907-9-11-13-15-17-19-Ex. 20-21-22-23-27-29-31-32-Ex. 33-34-35-37	
Mills, Chapin A.....	17	Clark.....	2416 F St., Vancouver.....	59	So. Dakota..	Horticulturist.....	R.	1937	
Moe, Clifford O.....	13	{Grant.....} {Kittitas.....}	Grand Coulee.....	30	No. Dakota..	Attorney.....	D.		
Morgan, Frank L.....	21	Grays Harbor.	447 Chenault, Hoquiam.....	68	Illinois.....	Attorney.....	D.		
Murfin, A. M.....	15	Yakima.....	805 Crescent, Sunnyside.....	64	Minnesota.....	Publisher.....	D.	1935-37	
Murphy, Kebe.....	5	Spokane.....	Hilvyard Station, Box 6141, Spokane	55	Michigan.....	Railroad.....	D.	1933-Ex. 33-34-35-37	
Orndorff, W. R.....	3	Spokane.....	E. 714 Siuto, Spokane.....	73	Pennsylvania.	Realtor.....	D.	1935-37	
Percival, Monty.....	28	Pierce.....	4625 So. Bell, Tacoma.....	44	So. Dakota..	Garage Owner.....	D.	1937..	
Reardon, Keiron W.....	39	{Snohomish, pt.} {Island, pt.....}	221 N. Madison, Monroe.....	38	Iowa.....	Editor.....	D.	1933-Ex. 33-34-35-37	
Roberts, Joseph D.....	35	King.....	42 364 Olympic Hotel, Seattle.....	31	Kansas.....	Publisher.....	D.		1933-Ex. 33-37
Rosellini, Albert D.....	33	King.....	407 35th So., Seattle.....	29	Washington..	Attorney.....	D.		
Roup, Howard.....	10	{Asotin.....} {Garfield.....} {Columbia.....}	Cloverland.....	55	No. Carolina.	Farmer.....	D.	1937	

SENATE ROSTER, 1939—Continued

NAME OF MEMBER	Dis-trict	County	Residence	Age	Birthplace	Occupation	Pol-itics	Previous Legislative Experience	
								Senate	House
Schroeder, Ted F.....	25	Pierce.....	417 4th Ave. N. E., Puyallup...	36	Washington...	Merchant	D.		1935
Shorrett, Judson W.....	37	King.....	610 17th No., Seattle.....	62	Iowa.....	Attorney	D.	1935-37	1932-EX. 33-34
Siecler, Herbert H.....	20	Lewis.....	Chehalis	50	So. Dakota...	Attorney, Abstractor...	R.		
Stinson, Charles F.....	16	{Benton..... Franklin..... Klickitat..... Skamania.....}	412 Shoshone, Pasco.....	63	Kentucky.....	Merchant	R.	1929-31-EX. 33-35-37	1927
Sullivan, James T.....	44	King.....	7335 27th N. W., Seattle.....	44	Montana.....	Electrician	D.		1937
Thomas, Paul G.....	34	King.....	4203 W. Walker, Seattle.....	44	Washington...	Banking	D.	1935-37	
Todd, LeRoy L.....	40	{Skagitl..... San Juan.....}	Anacortes	59	Illinois.....	Attorney	D.	1937	
Troy, Harold P.....	22	Thurston.....	110 W. 11th, Olympia.....	38	Washington...	Lawyer	D.	1937	
Voyce, Thomas	42	Whatcom.....	2222 G St., Bellingham.....	54	England.....	Clerk, County Store.	D.		1935-37
Wanamaker, Pearl A.....	33	{Island, pt. {Snohomish, pt.}	Coupeville	39	Washington...	Homemaker	D.	1937	1929-33- EX. 33- 34-35

STANDING COMMITTEES OF THE SENATE—1939 SESSION

VICTOR A. MEYERS, President
 EARLE M. McCROSKEY, Secretary

- Aeronautics**—Senators Voyce, Chairman; Lovejoy, Malstrom, Moe, Shorett.
- Agriculture**—Senators McMillan, Chairman; Copeland, Ferryman, Murfin, Roup, Schroeder, Todd.
- Appropriations**—Senators Shorett, Chairman; Klemgard, Vice-Chairman; Copeland, Dawson, Drumheller, Edwards, Farquharson, Ferryman, Holt, Kerstetter, Lovejoy, Malstrom, McDonald, McMillan, Mills, Percival, Roup, Thomas.
- Banks and Banking**—Senators McAulay, Chairman; Copeland, Duggan, Lovejoy, Malstrom, McDonald, Morgan, Roberts, Sieler, Voyce.
- Cities of the First Class**—Senators Holt, Chairman; Bloomer, Kerstetter, McDonald, Orndorff, Roberts, Thomas.
- Claims and Auditing**—Senators Maxwell, Chairman; Drumheller, Edwards, Ferryman, Keller.
- Commerce and Manufacturing**—Senators Dawson, Chairman; Haddon, Roberts, Rosellini, Schroeder.
- Compensation and Fees for State and County Officers**—Senators Atkinson, Chairman; Bloomer, Copeland, Farquharson, Henderson, McMillan, Thomas.
- Constitutional Revision**—Senators Kyle, Chairman; Duggan, Farquharson, Klemgard, McAulay, Metcalf, Murphy, Orndorff, Reardon, Shorett, Troy.
- Corporations Other Than Municipal**—Senators Rosellini, Chairman; Henderson, Holt, Kyle, Voyce.
- Counties and County Boundaries**—Senators Roup, Chairman; Ferryman, Keller, Moe, Morgan.
- Dairy and Livestock**—Senators Todd, Chairman; Edwards, Keeler, Koontz, Kyle, Mills, Percival, Sieler.
- Education**—Senators Haddon, Chairman; Farquharson, Klemgard, Malstrom, McAulay, Reardon, Wanamaker.
- Educational Institutions**—Senators Farquharson, Chairman; Haddon, Holt, Klemgard, McDonald, Malstrom, Moe, Murfin, Murphy, Orndorff, Shorett, Sullivan, Thomas.
- Elections and Privileges**—Senators Murphy, Chairman; Duggan, Edwards, Kyle, Mills, Percival, Roup, Sullivan, Wanamaker.
- Engrossed Bills**—Senators Holt, Chairman; McDonald, Roberts, Thomas, Troy.
- Enrolled Bills**—Senators Lovejoy, Chairman; Dawson, Farquharson, Murfin, Percival.
- Federal Relations and Immigration**—Senators Metcalf, Chairman; Atkinson, Kerstetter, McDonald, Orndorff, Stinson, Sullivan.
- Financial Institutions Other Than Banks**—Senators Troy, Chairman; Copeland, Duggan, Edwards, Lovejoy, Maxwell, Rosellini, Shorett, Sieler.
- Fisheries**—Senators Edwards, Chairman; Bloomer, Keeler, Keller, Maxwell, Reardon, Shorett, Todd, Troy.
- Flood Control**—Senators Sieler, Chairman; Ferryman, Henderson, Kyle, Malstrom, Morgan, Reardon, Schroeder, Shorett, Thomas.
- Forestry and Logged-off Lands**—Senators Schroeder, Chairman; Holt, Keeler, Metcalf, Reardon, Troy, Wanamaker.
- Game and Game Fish**—Senators McAulay, Chairman; Edwards, Henderson, Klemgard, Koontz, McDonald, McMillan, Moe, Schroeder.
- Harbors and Waterways**—Senators Thomas, Chairman; Bloomer, Dawson, Haddon, Wanamaker.
- Horticulture**—Senators Mills, Chairman; Drumheller, Ferryman, Koontz, McAulay.
- Industrial Insurance**—Senators Kerstetter, Chairman; Dawson, Henderson, Keller, Maxwell, Moe, Morgan, Percival, Troy.

Insurance—Senators McDonald, Chairman; Dawson, Farquharson, Kyle, Lovejoy, Murphy, Orndorff, Rosellini, Stinson.

Judiciary—Senators Duggan, Chairman; Farquharson, Kyle, Maxwell, McAulay, Metcalf, Moe, Morgan, Murfin, Rosellini, Shorett, Sieler, Todd, Troy.

Labor and Labor Statistics—Senators Wanamaker, Chairman; Drumheller, Kerstetter, Maxwell, Mills, Murfin, Roup, Stinson, Thomas, Todd, Voyce.

Legislative Apportionment—Senators Bloomer, Chairman; Murphy, Keller, Kyle, Malstrom, McDonald, Mills, Morgan, Murfin.

Liquor Control—Senators Lovejoy, Chairman; Bloomer, Drumheller, Keeler, Kerstetter, Kyle, McMillan, Orndorff, Percival, Roberts, Rosellini, Schroeder, Sullivan, Troy, Voyce.

Medicine, Dentistry, Pure Food and Drugs—Senators Henderson, Chairman; Copeland, Haddon, Kerstetter, Lovejoy, McDonald, Thomas.

Memorials—Senators Metcalf, Chairman; Atkinson, Klemgard.

Military—Senators Orndorff, Chairman; Farquharson, Klemgard, Mills, Roberts, Schroeder, Sullivan.

Mines and Mining—Senators Moe, Chairman; Duggan, Holt, Koontz, McMillan, Murphy, Voyce.

Municipal Corporations Other Than First Class—Senators Stinson, Chairman; Farquharson, Moe, Morgan, Murfin, Sieler, Voyce.

Parks and Playgrounds—Senators Roberts, Chairman; Henderson, Holt, Rosellini, Stinson, Sullivan, Thomas, Wanamaker, Todd.

Printing—Senators Roberts, Chairman; Atkinson, Malstrom, Murfin, Reardon.

Public Buildings and Grounds—Senators Sullivan, Chairman; Koontz, Lovejoy, Malstrom, Troy.

Public Morals—Senators Ferryman, Chairman; Atkinson, Bloomer, Duggan, Kerstetter, Roberts, Rosellini.

Public Utilities—Senators Drumheller, Chairman; Bloomer, Dawson, Ferryman, Keeler, Metcalf, Roup, Murfin, Thomas.

Railroads and Transportation—Senators Klemgard, Chairman; Copeland, Dawson, Drumheller, Henderson, Kerstetter, Lovejoy, Stinson, Voyce.

Reclamation, Irrigation, Dikes, Drains and Ditches—Senators Keeler, Chairman; Koontz, McAulay, Moe, Murfin, Sieler, Stinson.

Revenue and Taxation—Senators Murfin, Chairman; Orndorff, Vice-Chairman; Atkinson, Holt, Metcalf, Morgan, Murphy, Reardon, Roberts, Rosellini, Sullivan, Troy, Wanamaker.

Roads and Bridges—Senators Keller, Chairman; Bloomer, Vice-Chairman; Haddon, Henderson, Keeler, Koontz, Kyle, Maxwell, McAulay, Moe, Orndorff, Roup, Schroeder, Sieler, Stinson, Todd, Troy, Wanamaker, Voyce.

Rules and Joint Rules—President, Chairman; Senators Drumheller, Duggan, Edwards, Keeler, Kerstetter, Kyle, Maxwell, McAulay, McMillan, Metcalf, Reardon.

Rural Credits and Agricultural Development—Senators Copeland, Chairman; Atkinson, Ferryman, McMillan, Metcalf, Mills, Morgan, Murfin, Sullivan.

Senate Employees—Senators Klemgard, Chairman; Keller, Roup.

Social Security—Senators Koontz, Chairman; Drumheller, Duggan, Edwards, Ferryman, Keeler, Kerstetter, Maxwell, McAulay, Murphy, Reardon, Stinson, Sullivan, Todd, Wanamaker.

State Charitable Institutions—Senators Percival, Chairman; Haddon, Malstrom, Mills, Morgan, Murphy, Shroeder, Sieler, Todd.

State Granted, School and Tide Lands—Senators Morgan, Chairman; Farquharson, Haddon, Holt, Keller, Percival, Troy.

State Library—Senators Malstrom, Chairman; Atkinson, Holt, Keller, Koontz.

State Penal and Reformatory Institutions—Senators Reardon, Chairman; Copeland, Haddon, Percival, Rosellini, Roup, Schroeder.

SENATE INDIVIDUAL COMMITTEE ASSIGNMENTS, 1939

ATKINSON (N. P.)—Compensation and Fees for State and County Officers, Chairman; Federal Relations and Immigration; Memorials; Printing; Public Morals; Revenue and Taxation; Rural Credits and Agricultural Development; State Library.

BLOOMER (T. C.)—Legislative Apportionment, Chairman; Roads and Bridges, Vice-Chairman; Cities of the First Class; Compensation and Fees for State and County Officers; Fisheries; Harbors and Waterways; Liquor Control; Public Morals; Public Utilities.

COPELAND (Henry J.)—Rural Credits and Agricultural Development, Chairman; Agriculture; Appropriations; Compensation and Fees for State and County Officers; Banks and Banking; Financial Institutions Other Than Banks; Medicine, Dentistry, Pure Food and Drugs; Railroads and Transportation; State Penal and Reformatory Institutions.

DAWSON (W. C.)—Commerce and Manufacturing, Chairman; Appropriations; Enrolled Bills; Harbors and Waterways; Industrial Insurance; Insurance; Public Utilities; Railroads and Transportation.

DRUMHELLER (Joseph)—Public Utilities, Chairman; Appropriations; Claims and Auditing; Horticulture; Labor and Labor Statistics; Liquor Control; Railroads and Transportation; Rules and Joint Rules; Social Security.

DUGGAN (Fred S.)—Judiciary, Chairman; Banks and Banking; Constitutional Revision; Elections and Privileges; Financial Institutions Other Than Banks; Mines and Mining; Public Morals; Rules and Joint Rules; Social Security.

EDWARDS (A. E.)—Fisheries, Chairman; Appropriations; Claims and Auditing; Dairy and Livestock; Elections and Privileges; Financial Institutions Other Than Banks; Game and Game Fish; Rules and Joint Rules; Social Security.

FARQUHARSON (Mary U.)—Educational Institutions, Chairman; Appropriations; Compensation and Fees for State and County Officers; Constitutional Revision; Education; Enrolled Bills; Insurance; Judiciary; Military; Municipal Corporations Other Than First Class; State Granted, School and Tide Lands.

FERRYMAN (John H.)—Public Morals, Chairman; Agriculture; Appropriations; Claims and Auditing; Counties and County Boundaries; Flood Control; Horticulture; Public Utilities; Rural Credits and Agricultural Development; Social Security.

HADDON (Lulu D.)—Education, Chairman; Commerce and Manufacturing; Educational Institutions; Harbors and Waterways; Medicine, Dentistry, Pure Food and Drugs; Roads and Bridges; State Charitable Institutions; State Granted, School and Tide Lands; State Penal and Reformatory Institutions.

HENDERSON (Dr. J. W.)—Medicine, Dentistry, Pure Food and Drugs, Chairman; Compensation and Fees for State and County Officers; Corporations Other Than Municipal; Flood Control; Game and Game Fish; Industrial Insurance; Parks and Playgrounds; Railroads and Transportation; Roads and Bridges.

HOLT (Alfred E.)—Cities of the First Class, Chairman; Engrossed Bills, Chairman; Appropriations; Corporations Other Than Municipal; Educational Institutions; Forestry and Logged-off Lands; Mines and Mining; Parks and Playgrounds; Revenue and Taxation; State Library; State Granted, School and Tide Lands.

KEELER (Joe L.)—Reclamation, Irrigation, Dikes, Drains and Ditches, Chairman; Dairy and Livestock; Fisheries; Forestry and Logged-off Lands; Liquor Control; Public Utilities; Roads and Bridges; Rules and Joint Rules; Social Security.

KELLER (J. P.)—Roads and Bridges, Chairman; Claims and Auditing; Counties and County Boundaries; Fisheries; Industrial Insurance; Legislative Apportionment; Senate Employees; State Granted School and Tide Lands; State Library.

KERSTETTER (G. B.)—Industrial Insurance, Chairman; Appropriations; Cities of the First Class; Federal Relations and Immigration; Labor and Labor Statistics; Liquor Control; Medicine, Dentistry, Pure Food and Drugs; Public Morals; Railroads and Transportation; Rules and Joint Rules; Social Security.

KLEMGARD (J. Gordon)—Railroads and Transportation, Chairman; Senate Employees, Chairman; Appropriations, Vice-Chairman; Constitutional Revision; Education; Educational Institutions; Game and Game Fish; Memorials; Military.

KOONTZ (J. M.)—Social Security, Chairman; Dairy and Livestock; Game and Game Fish; Horticulture; Mines and Mining; Public Buildings and Grounds; Reclamation, Irrigation, Dikes, Drains and Ditches; Roads and Bridges; State Library.

KYLE (H. I.)—Constitutional Revision, Chairman; Corporations Other Than Municipal; Dairy and Livestock; Elections and Privileges; Flood Control; Insurance; Judiciary; Legislative Apportionment; Liquor Control; Roads and Bridges; Rules and Joint Rules.

LOVEJOY (George A.)—Liquor Control, Chairman; Enrolled Bills, Chairman; Aeronautics; Appropriations; Banks and Banking; Financial Institutions Other Than Banks; Insurance; Medicine and Dentistry, Pure Food and Drugs; Public Buildings and Grounds; Railroads and Transportation.

MALSTROM (Kathryn E.)—State Library, Chairman; Aeronautics; Appropriations; Banks and Banking; Education; Educational Institutions; Flood Control; Legislative Apportionment; Printing; Public Buildings and Grounds; State Charitable Institutions.

MAXWELL (Earl)—Claims and Auditing, Chairman; Financial Institutions Other Than Banks; Fisheries; Industrial Insurance; Judiciary; Labor and Labor Statistics; Roads and Bridges; Rules and Joint Rules; Social Security.

McAULAY (George F.)—Banks and Banking, Chairman; Game and Game Fish, Chairman; Constitutional Revision; Education; Horticulture; Judiciary; Reclamation, Irrigation, Dikes, Drains and Ditches; Roads and Bridges; Rules and Joint Rules; Social Security.

McDONALD (Robert T.)—Insurance, Chairman; Appropriations; Banks and Banking; Cities of the First Class; Educational Institutions; Engrossed Bills; Federal Relations and Immigration; Game and Game Fish; Legislative Apportionment; Medicine, Dentistry, Pure Food and Drugs.

McMILLAN (David E.)—Agriculture, Chairman; Appropriations; Compensation and Fees for State and County Officers; Game and Game Fish; Liquor Control; Mines and Mining; Rules and Joint Rules; Rural Credits and Agricultural Development.

METCALF (Ralph)—Federal Relations and Immigration, Chairman; Memorials, Chairman; Constitutional Revision; Forestry and Logged-Off Lands; Judiciary; Public Utilities; Revenue and Taxation; Roads and Bridges; Rules and Joint Rules; Rural Credits and Agricultural Development.

MILLS (Chapin A.)—Horticulture, Chairman; Appropriations; Dairy and Livestock; Elections and Privileges; Labor and Labor Statistics; Legislative Apportionment; Military; Rural Credits and Agricultural Development; State Charitable Institutions.

MOE (Clifford O.)—Mines and Mining, Chairman; Aeronautics; Counties and County Boundaries; Educational Institutions; Game and Game Fish; Industrial Insurance; Judiciary; Municipal Corporations Other Than First Class; Roads and Bridges; Reclamation, Irrigation, Dikes, Drains and Ditches.

MORGAN (Frank L.)—State Granted, School and Tide Lands, Chairman; Banks and Banking; Counties and County Boundaries; Flood Control; Industrial Insurance; Judiciary; Legislative Apportionment; Municipal Corporations Other Than First Class; Revenue and Taxation; Rural Credits and Agricultural Development; State Charitable Institutions.

MURFIN (A. M.)—Revenue and Taxation, Chairman; Agriculture; Educational Institutions; Enrolled Bills; Judiciary; Labor and Labor Statistics; Legislative Apportionment; Municipal Corporations Other Than First Class; Printing; Public Utilities; Reclamation and Irrigation; Rural Credits and Agricultural Development.

MURPHY (Kebel)—Elections and Privileges, Chairman; Constitutional Revision; Educational Institutions; Insurance; Legislative Apportionment; Mines and Mining; Revenue and Taxation; Social Security; State Charitable Institutions.

ORNDORFF (W. R.)—Military, Chairman; Revenue and Taxation, Vice-Chairman; Cities of the First Class; Constitutional Revision; Educational Institutions; Federal Relations and Immigration; Insurance; Liquor Control; Roads and Bridges.

PERCIVAL (Monty)—State Charitable Institutions, Chairman; Appropriations; Dairy and Livestock; Elections and Privileges; Enrolled Bills; Industrial Insurance; Liquor Control; State Granted, School and Tide Lands; State Penal and Reformatory Institutions.

REARDON (Keiron W.)—State Penal and Reformatory Institutions, Chairman; Constitutional Revision; Education; Fisheries; Flood Control; Forestry and Logged-Off Lands; Printing; Revenue and Taxation; Rules and Joint Rules; Social Security.

ROBERTS (Joseph D.)—Parks and Playgrounds, Chairman; Printing, Chairman; Banks and Banking; Cities of the First Class; Commerce and Manufacturing; Engrossed Bills; Liquor Control; Military; Public Morals; Revenue and Taxation.

ROSELLINI (Albert D.)—Corporations Other Than Municipal, Chairman; Commerce and Manufacturing; Financial Institutions Other Than Banks; Insurance; Judiciary; Liquor Control; Parks and Playgrounds; Public Morals; Revenue and Taxation; State Penal and Reformatory Institutions.

ROUP (Howard)—Counties and County Boundaries, Chairman; Agriculture; Appropriations; Elections and Privileges; Labor and Labor Statistics; Public Utilities; Roads and Bridges; Senate Employees; State Penal and Reformatory Institutions.

SCHROEDER (Ted. F.)—Forestry and Logged-Off Lands, Chairman; Agriculture; Commerce and Manufacturing; Flood Control; Game and Game Fish; Liquor Control; Military; Roads and Bridges; State Charitable Institutions; State Penal and Reformatory Institutions.

SHORETT (Judson W.)—Appropriations, Chairman; Aeronautics; Constitutional Revision; Educational Institutions; Financial Institutions Other Than Banks; Fisheries; Flood Control; Judiciary.

SIELER (Herbert H.)—Flood Control, Chairman; Banks and Banking; Financial Institutions Other Than Banks; Judiciary; Municipal Corporations Other Than First Class; Reclamation, Irrigation, Dikes, Drains and Ditches; Roads and Bridges; State Charitable Institutions; Dairy and Livestock.

STINSON (Charles F.)—Municipal Corporations Other Than First Class, Chairman; Federal Relations and Immigration; Insurance; Labor and Labor Statistics; Parks and Playgrounds; Railroads and Transportation; Reclamation and Irrigation; Roads and Bridges; Social Security.

SULLIVAN (James T.)—Public Buildings and Grounds, Chairman; Educational Institutions; Elections and Privileges; Federal Relations and Immigration; Liquor Control; Military; Parks and Playgrounds; Revenue and Taxation; Rural Credits and Agricultural Development; Social Security.

THOMAS (Paul G.)—Harbors and Waterways, Chairman; Appropriations; Cities of the First Class; Compensation and Fees for State and County Officers; Educational Institutions; Engrossed Bills; Flood Control; Labor and Labor Statistics; Medicine, Dentistry, Pure Food and Drugs; Parks and Playgrounds; Public Utilities.

TODD (LeRoy L.)—Dairy and Livestock, Chairman; Agriculture; Fisheries; Judiciary; Labor and Labor Statistics; Parks and Playgrounds; Roads and Bridges; Social Security; State Charitable Institutions.

TROY (Harold P.)—Financial Institutions Other Than Banks, Chairman; Constitutional Revision; Engrossed Bills; Fisheries; Forestry and Logged-Off Lands; Industrial Insurance; Judiciary; Liquor Control; Public Buildings and Grounds; Revenue and Taxation; Roads and Bridges; State Granted, School and Tide Lands.

VOYCE (Thomas)—Aeronautics, Chairman; Banks and Banking; Corporations Other Than Municipal; Labor and Labor Statistics; Liquor Control; Mines and Mining; Municipal Corporations Other Than First Class; Railroads and Transportation; Roads and Bridges.

WANAMAKER (Pearl A.)—Labor and Labor Statistics, Chairman; Education; Elections and Privileges; Forestry and Logged-Off Lands; Harbors and Waterways; Parks and Playgrounds; Revenue and Taxation; Roads and Bridges; Social Security.

**SENATE BILLS PASSED BY BOTH HOUSES AND APPROVED
BY THE GOVERNOR
(GIVING CHAPTER NUMBER—SESSION LAWS OF 1939)**

<i>S. B. No.</i>	<i>Chap. No.</i>	<i>S. B. No.</i>	<i>Chap. No.</i>
1	3	215	87
2	4	219 (Part V.)	214
12	5	223	61
13	30	225	123
17	8	226	124
Sub. 23	157	227	186
25	158	228	75
42	10	241	162
43	31	242	163
Sub. 47	25	Sub. 254	125
50	44	257	76
51	104	269	88
65	105	272	126
68	12	289	77
70	11	300	89
71	204	304	127
73	159	319	164
76	183	321	110
78 (Part V.)	160	333	78
79	23	343	187
80	24	350	215
88	45	359	188
98	106	361	128
101	184	366	129
103	58	371	111
104	70	372	79
105	59	374	165
108	71	376	90
109	84	391	80
110	85	392	91
111	107	393	92
113 (Part V.)	225	394	166
114	46	395	167
115	72	396	168
116	185	400	22
120	161	402	189
125	13	403	62
126	14	408	190
135	108	409 (Part V.)	112
138	118	412	63
141	32	420	81
142	33	422	113
146	73	427 (Part V.)	216
161	119	433 (Part V.)	217
164	74	438	191
175	120	448	169
178	121	456	130
188	86	467 (Part V.)	205
190	122	469	82
194	109	487	83
197	60		

**HOUSE BILLS PASSED BY BOTH HOUSES AND APPROVED
BY THE GOVERNOR
(GIVING CHAPTER NUMBER—SESSION LAWS OF 1939)**

<i>H. B. No.</i>	<i>Chap. No.</i>	<i>H. B. No.</i>	<i>Chap. No.</i>
2	131	189	219
8	26	190	50
10	27	191	138
11	6	Sub. 192	175
20	7	201	65
25	39	204	176
Sub. 29	40	208	198
30	93	221	139
33	15	225	51
35	49	227	199
37	36	231	140
40	114	235	141
41	170	236	200
55	94	240	142
58	28	Sub. 242	220
60	192	247	52
68	132	248	53
71	133	249	54
78	193	250	55
80	206	253	56
81	34	259	177
87	9	260	173
90	207	263	66
91	41	264	67
92 (Part V.)	208	269	178
94	134	271	143
100	135	282	221
101	21	286	57
103	16	287	144
104	42	289	68
105	17	298	145
108	19	299	146
109	20	300	48
110	43	312	147
113 (Part V.)	194	314	148
119	18	323	47
123	35	324	222
126	171	325	29
128	195	327	210
131	37	342	149
132	196	343	150
134	38	348	179
135	197	351	211
148	95	368	99
152	96	369	115
Sub. 156 (Part V.)	218	372	100
163	136	379 (Part V.)	180
172	172	380	116
175	137	381	101
177	209	382	201
180	97	385	102
181	64	Sub. 392	181
184	174	399	69
188	98	401	151

**House Bills Passed By Both Houses and Approved By the Governor
—Continued.**

<i>H. B. No.</i>	<i>Chap. No.</i>	<i>H. B. No.</i>	<i>Chap. No.</i>
406	212	471	154
407	103	473	182
415	152	521	155
425	202	535 (Part V.)	203
426	153	541	224
432	213	561	156
450 (Part V.)	223	565	117
466	226		

BILLS VETOED BY THE GOVERNOR

<i>House Bills</i>	<i>Senate Bills</i>
257	150
268	204
	357
	382

INDEX

**TITLE AND HISTORY OF SENATE AND HOUSE BILLS,
MEMORIALS AND RESOLUTIONS**

AND

GENERAL INDEX

TITLE AND HISTORY OF SENATE BILLS

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
1. Senator Ferryman: Relating to appropriation of \$125,000 for expenses	20	20	20	.....	20	21	22	24
2. Senator Ferryman: Relating to appropriation of \$15,000 for printing..	20	20	20	.....	20	21	22	24
3. Senator Reardon: Relating to supervision of paroles.....	39	.....	.....	.....	.....	.....	.....	.....
4. Senator Reardon: Relating to correctional institutions.....	40	.....	.....	.....	.....	.....	.....	.....
5. Senator Kyle: Relating to copyrights.....	40	485	.....	543	.....	.....	.....	.....
6. Senator McDonald: Relating to vacancies in county offices.....	40	.....	.....	.....	.....	.....	.....	.....
7. Senator Murfin: Relating to minimum salary of school teachers.....	40	210	.....	108	.....	.....	.....	.....
8. Senator Murfin: Relating to sale of eggs.....	40	97	116	190,760	117	.....	.....	.....
9. Senator Ferryman: Relating to hunting and fishing.....	44	243	323	284 324, 357	325	.....	.....	.....
10. Senator Orndorff: Relating to taxation.....	44	83	100	.....	100	.....	.....	.....
11. Senators Sullivan and McDonald: Relating to telephone meters.....	44	413	526	.....	527	.....	.....	.....
12. Senators Farquharson and Maxwell: Relating to highways.....	44	48	50	51-53 84-89	50, 84	94	97	108
13. Senator Sieler (by request): Relating to tax levies.....	44	83	100	102 340, 352	101	381	303	477
14. Senators Mills and Stinson: Relating to elections.....	45	410	.....	.....	.....	.....	.....	.....
15. Senator Sullivan: Relating to pure food and drugs.....	48	.....	.....	.....	.....	.....	.....	.....
16. Senator Duggan: Relating to guardians.....	48	66	87	91 70	87	.....	.....	.....
17. Senator Farquharson: Relating to shorelands.....	48	56	69	112, 131	69, 112	136	140	164

18. Senator Edwards: Relating to hours of labor in public employment.....	48	483				
19. Senators Lovejoy and Ferryman: Relating to leasing state lands.....	48					
20. Senators Lovejoy and Ferryman: Relating to oil and gas wells.....	40	267	267			
21. Senator Reardon: Relating to labor organizations.....	49					
22. Senator Roberts: Relating to usury.....	49					
23. Senator Roberts: Relating to state lands.....	40	119, 180	119			
23. (Substitute) Committee on Parks and Playgrounds: Relating to state lands.....	119		344	352, 756	783	786
24. Committee on Medicine, Dentistry, Pure Food and Drugs: Relating to drugs.....	52	91	88	88		
25. Senators Shorett and Murfin: Relating to financial responsibility of motor vehicle operators.....	52	163	188	191, 612	635	655
26. Senators McDonald and Farquharson: Relating to University of Washington.....	52	140				
26. (Substitute) Committee on Educational Institutions: Relating to University of Washington.....						
27. Senator Wanamaker: Relating to tide lands.....	52	400				
28. Senator Voyce: Relating to coal mining.....	52	210, 423	289			
29. Senator Farquharson: Relating to convict made goods.....	53					
30. Senator Maxwell: Relating to appropriation for relief of Paul Squier.....	53					
31. Senator Maxwell: Relating to coroners.....	53	217				
32. Senator McMillan: Relating to electricians.....	53					
33. Senator McAulay: Relating to Justices of the Peace.....	53	193	222	206, 236	222	
34. Senator McAulay: Relating to police judges.....	53	194	222	206, 236	223	
35. Senators Thomas and Morgan: Relating to contempt of court.....	54			204		
36. Senator Orndorff: Relating to landlord and tenant.....	54	191	263	297, 310	294	

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
37. Senator Troy: Relating to Sabbath breaking.....	54							
38. Senator Troy: Relating to Workmen's Compensation.....	54							
39. Senator Thomas: Relating to narcotics.....	56	108	274	277	274			
40. Senators Thomas and Kyle: Relating to Justices of the Peace.....	56	194	206		206			
41. Senator Kerstetter (by request): Relating to massage parlors.....	56	83, 118		83				
42. Senator McDonald (by departmental request): Relating to Insurance..	57	77	95	179, 180 164, 340	95	181	190	207
43. Senator Wanamaker: Relating to trading stamps.....	57	91	160	368, 382	160, 383	393	425	477
44. Senator Morgan: Relating to horse racing.....	57							
45. Senator Roberts: Relating to Sabbath breaking.....	57							
46. Committee on Rules and Joint Rules (by executive request): Relat- ing to old age assistance.....	57	65	123	122	125			
47. Committee on Rules and Joint Rules (by executive request): Relating to public assistance.....	57	65 103, 126		77				
47. (Substitute) Majority of the Committee on Social Security: Relating to public assistance.....	107		127	182 362, 371	130, 364	381	393	393
48. Committee on Rules and Joint Rules (by executive request): Relating to support by relatives.....	57	96, 696	130	131 133, 140 683, 688 696, 796				
49. Senator Murfin (by departmental request): Relating to taxation.....	58	62	68					

86. Senator Kyle: Relating to relief.....	74							
87. Senator Stinson: Relating to limitation of actions.....	74	97	110	112	110			
88. Senators Metcalf and Schroeder: Relating to port districts.....	74	151	186	477	187	518	548	653
89. Senators Bloomer and Troy: Relating to highways.....	77							
90. Senator Kerstetter: Relating to county budgets.....	77							
91. Senator Kyle: Relating to voting machines.....	78	363	386		386			
92. Senators Metcalf and Percival: Relating to municipal bus lines.....	78	179		387				
93. Senator Wanamaker (by departmental request): Relating to shellfish.....	78	383, 409	441	442, 446	442, 446			
94. Senator Kerstetter: Relating to juries.....	78	191		405				
95. Senators Wanamaker and Haddon: Relating to slot machines.....	78							
96. Senator Kyle: Relating to police pensions.....	78	193						
97. Senators Metcalf and Kyle: Relating to attendance of witnesses.....	79							
98. Senator Reardon: Relating to reforestation.....	79	151	172	681	172	717	738	
99. Senator Lovejoy: Relating to public lands.....	79	392						
100. Senators Moe and Troy: Relating to workmen's compensation.....	79	392		276				
101. Senators Troy and Moe: Relating to workmen's compensation.....	79	163	275	288, 687	275, 657	739	760	
102. Senator Morgan: Relating to taxation.....	79							
103. Senator Schroeder: Relating to forestry.....	79	151	186	185	180	655	674	
104. Senator McAulay (by request): Relating to garnishments.....	80	194	213	612	214	655	655	
105. Senator McAulay (by request): Relating to banking.....	80	119	147	612	148	655	655	
106. Senator Dawson: Relating to inheritance taxes.....	84	163	263		264			
107. Senator Rosellini: Relating to domestic employees.....	84	392						
108. Committee on Rules and Joint Rules (by executive request): Relating to fisheries.....	84	140	189	191, 612	189	635	655	

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
109. Committee on Rules and Joint Rules (by executive request): Relating to fisheries	85	447	480	655	481	698	702	.....
110. Committee on Rules and Joint Rules (by executive request): Relating to flood control.....	85	309	348, 612	.....	348	635	655	.....
111. Committee on Rules and Joint Rules (by executive request): Relating to storage dams.....	85	388	383	383, 408, 615	409, 616	693	702	.....
112. Committee on Rules and Joint Rules (by executive request): Relating to railroad grade crossings.....	85	525	530	.....	530	.....	.....	.....
113. Committee on Rules and Joint Rules (by executive request): Relating to taxation	85	237, 208	516	589, 741, 746, 783, 786	523, 788	800	800	.....
114. Committee on Rules and Joint Rules (by executive request): Relating to Buergers disease.....	86	140	171	170, 173, 477, 753	171	518	518	653
115. Committee on Rules and Joint Rules (by executive request): Relating to alien and non-resident incompetents.....	86	135	171	655	171	693	702	.....
116. Senator Troy: Relating to acknowledgments.....	86	278	307	756, 103	307	783	786	.....
117. Senator Schroeder: Relating to motor vehicles.....	86	103, 104	250	250, 310	.....	.....	.....	.....
118. Senator Troy: Relating to intoxicating liquors.....	86	.....	.....	.....	.....	.....	.....	.....
119. Senator Troy: Relating to county commissioners.....	87	.....	.....	.....	.....	.....	.....	.....
120. Senator Schroeder: Relating to soldiers' home colony.....	61	140, 181	206	200, 756	206	783	786	.....
121. Senator Troy: Relating to education.....	91	388, 422	.....	302	.....	.....	.....	.....
122. Senator McDonald: Relating to taxation.....	91	310	385	390	385	.....	.....	.....

123. Senators Kyle and Farquharson: Relating to insurance.....	92						
124. Senator Reardon: Relating to county auditors.....	92	119	157	200, 209	157, 200	214	223
125. Senator Moe (by executive request): Relating to irrigation districts.....	92	119	157	199, 209	159	214	223
126. Senator Moe (by executive request): Relating to irrigation districts.....	92	119	157	199, 209	159	214	223
127. Senator Moe (by executive request): Relating to Central Washington College of Education.....	93	151, 191	205	176 204, 478	205		
128. Senator Kyle: Relating to fuel oil tax.....	93						
129. Senator Klemgard: Relating to highways.....	93						
130. Senator Klemgard (by request): Relating to savings and loan associations.....	93						
131. Senator Farquharson: Relating to non-profit hospital service.....	94	278					
132. Senator Sieler: Relating to old age assistance.....	94						
133. Senators Shorett and Murfin: Relating to motor vehicles.....	98	210	259	290	290		
134. Senator Klemgard: Relating to cemetery maintenance districts.....	98						
135. Senator Roup: Relating to public libraries.....	98	244	322	633	322	656	674
136. Senator Wanamaker: Relating to witnesses.....	98	459		460			
137. Senator Troy: Relating to civil service.....	98						
138. Committee on Insurance: Relating to life insurance.....	99		148	612	149	635	655
139. Senator Schroeder: Relating to garnishments.....	99						
140. Senator Reardon: Relating to motor vehicles.....	99			164			
141. Senators Lovejoy and Sieler: Relating to trust funds.....	99	119	158	340, 352 164	150	381	388
142. Senators Lovejoy and Sieler: Relating to mutual savings banks.....	99	119	159	340, 352	159	381	383
143. Senator Drumheller: Relating to police pension funds.....	99						
144. Senator Drumheller: Relating to sheriffs.....	99						
145. Senators McAulay and Murfin: Relating to highways.....	104						

163. Senator Troy: Relating to fishing.....	107							
164. Senator Troy: Relating to grand juries.....	113	525	571	680	571	603	605	
165. Senator Moe: (by departmental request): Relating to registration of voters.....	113							
166. Senator Holt: Relating to taxation.....	113	245, 305	285, 443	286	443			
167. Senator Moe: Relating to public schools.....	113	198	262	266	263			
168. Senators Atkinson and Morgan: Relating to civil liberties.....	113	311		547				
169. Senator Holt (by departmental request): Relating to crude oil, natural gas and underground waters.....	114	256, 423	537	502	538			
170. Senator Duggan: Relating to exemptions of personal property.....	114							
171. Senator Duggan: Relating to homesteads.....	114	191	203	209	203			
172. Senator Duggan: Relating to homestead claims in probate.....	114	194	203	209	204			
173. Senator Duggan: Relating to exemption of life insurance proceeds.....	114							
174. Senator Malsstrom: Relating to library education and library service.....	115	266		302				
175. Senator Farquharson: Relating to food processing plants.....	115	311	406	408, 663	407, 664	693	702	
176. Senator Roberts: Relating to inheritance tax exemptions.....	115							
177. Senators Wanamaker and McDonald: Relating to state classified civil service.....	115							
178. Senator Duggan: Relating to chattel mortgages.....	115	278	292	758	292	782	786	
179. Senators Troy and Todd: Relating to registration of land titles.....	115							
180. Senators Moe and Troy: Relating to appeals from the department of labor and industries.....	116							
181. Senator Reardon: Relating to public printer.....	116							
182. Senators Drumbheller and Metcalf: Relating to mechanics.....	120	391						
183. Senator Voyce: Relating to coal mining.....	120	218						
184. Committee on Rules and Joint Rules (by executive request): Relating to motor vehicles.....	120	174	197		197			

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
185. Senator Troy: Relating to intoxicating liquors.....	121	268						
186. Senator Troy: Relating to intoxicating liquor.....	121	509						
187. Senator McDonald: Relating to blind assistance.....	121							
188. Senators Wanamaker and Malstrom (by departmental request): Relating to teachers' retirement fund.....	121	268	304	310, 683	305	693	702	
189. Senators Reardon and Wanamaker: Relating to highways.....	121							
190. Senator Edwards: Relating to bulk sales.....	121	312	346	758	347	782	786	
191. Senator Klemgard: Relating to taxation.....	135	477						
192. Senators Morgan and Todd: Relating to taxation.....	136	410						
193. Senator Edwards: Relating to intoxicating liquor.....	136							
194. Senator Murphy: Relating to fisheries.....	136	181	215	217, 681	215	717	738	
195. Senator Murphy: Relating to explosives.....	136	311	577		578			
196. Senator Murphy (by request): Relating to explosives.....	136	211	262		262			
197. Senator Roberts: Relating to University of Washington.....	136	209	261		261	647	655	
198. Senators Kyle and Troy: Relating to public utility districts.....	141	381						
198. (Substitute) Committee on Public Utilities: Relating to public utility districts.....	398	381						
199. Senators Kyle and Troy: Relating to Washington utility district authority.....	141							

200. Senators Kyle and Troy: Relating to public utility districts.....	141	382				
200. (Substitute) Committee on Public Utilities: Relating to public utility districts.....	394	382	500	500, 506	504	
201. Senator Duggan: Relating to recording of instruments.....	142	191	207		207	
202. Senator Farquharson: Relating to highways.....	142	245	284	285	295	
203. Senator Sullivan: Relating to police pensions.....	142					788
204. Senator Sullivan: Relating to interstate cooperation.....	142	268	386	390, 681	387	717
205. Senator Sullivan: Relating to elections.....	142	211				
206. Senator Sullivan: Relating to old age assistance.....	142					
207. Senator Murfin (by departmental request): Relating to taxation.....	142	151, 298	365	197, 371	366	
208. Senator Rosellini: Relating to public purchases.....	143					
209. Senators Reardon and Kyle: Relating to school revenues and disbursements.....	143	338	581	581		
210. Senator Copeland: Relating to inheritance tax exemptions.....	143	181	264	266	264	
211. Senator Haddon: Relating to organization and maintenance of special schools.....	143	198				
212. Senator Wanamaker: Relating to motor vehicles transporting passengers for hire.....	143	448		248 255, 709 747, 766 791, 804	241	
213. Senator Drumheller: Relating to small loans.....	144	198	238			
214. Senator Wanamaker: Relating to unemployment compensation.....	152					760
215. Senator Kyle: Relating to third-class cities.....	152	372	417	681	418, 682	739
216. Senator Haddon: Relating to death penalty.....	152					
217. Senator Troy: Relating to intoxicating liquors.....	152					
218. Senator McDonald: Relating to primary state highways.....	152					
219. Committee on Rules and Joint Rules (by executive request): Relating to unemployment compensation.....	152	330				

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
219. (Substitute) Committee on Social Security: Relating to unemployment compensation	340		414	415 420, 681	415, 681	739	700	
220. Senator McAulay: Relating to dogs	153	193	223		293			
221. Senator McAulay: Relating to outdoor advertising	153							
222. Senator Lovejoy: Relating to vending machines	153							
223. Senators McAulay and Lovejoy: Relating to trust companies	153	278	361	663	361	693	702	
224. Committee on Rules and Joint Rules (by executive request): Relating to department of agriculture	153	278	321	322, 338	322			
225. Committee on Rules and Joint Rules (by executive request): Relating to public utilities	153	286	289	290, 291 286, 655	291	693	702	
226. Committee on Rules and Joint Rules (by executive request): Relating to securities	154	256, 459	451	342, 657	482	739	700	
227. Committee on Rules and Joint Rules (by executive request): Relating to excise tax on fuel oils	154	305	489	487 699, 709	492	739	700	
228. Committee on Rules and Joint Rules (by executive request): Relating to blind assistance	154	244, 371	413	289, 612	413	647	665	
229. Senator Roberts (by request): Relating to Sabbath breaking	154							
230. Senator Keller: Relating to public utility districts	154	173						
231. Senators Troy and Maxwell: Relating to intoxicating liquors	155	199, 296	260	266	261			
232. Senators Troy and Maxwell: Relating to penalties for murder	155							
233. Senators Troy and Maxwell: Relating to penalties for kidnaping	155							

234. Senators Troy and Maxwell: Relating to deferring sentence in criminal cases.....	155					
235. Senators Troy and Maxwell: Relating to convictions for crimes.....	155					
236. Senators Troy and Maxwell: Relating to reckless driving.....	155					
237. Senator Maxwell: Relating to licensing certain games of chance.....	155	339	579	580		
238. Senator Stinson: Relating to recount of votes.....	155	410	580			
239. Committee on Rules and Joint Rules (by request of the Lieutenant Governor): Relating to state departments.....	155					
240. Senators Mills and Klengard: Relating to platting of land.....	156	311	383	384		
241. Senators Duggan and McAulay: Relating to welfare of minor children.....	165	486	541	753	541, 753	788
242. Senators Duggan and McAulay: Relating to adoption.....	165	486	541	758	542	782
243. Senator Murphy: Relating to fur bearing animals.....	165	103	215	210		
244. Senator Joyce: Relating to coal mining rescue stations.....	165					
245. Senator McDonald: Relating to proceeds of life insurance.....	165	244				
246. Senator Kyle: Relating to actions for negligence.....	165					
247. Senator Kyle: Relating to new trials.....	165					
248. Senator Kyle: Relating to survival of causes of action.....	165					
249. Senator Wanamaker: Relating to dependent children.....	166					
250. Senator Morgan: Relating to official bonds.....	166					
251. Senator Keeler: Relating to treasurers.....	166	310	369	371	369	
252. Senator Keeler: Relating to attorney general.....	166					
253. Senators Wanamaker, Haddon and Kyle: Relating to state ferries.....	166	403	493	495, 507	495	
254. Senator Reardon (by departmental request): Relating to crimes.....	167	208				
254. (Substitute) Committee on State Penal and Reformatory Institutions: Relating to crimes.....			303	612	303	647
						655

271. Senator Sullivan: Relating to intoxicating liquor.....	175	500				
272. Senator Murfin (by departmental request): Relating to acquisition of lands by United States.....	175	244	348	756	349	786
273. Senator Beardon: Relating to taxation.....	175	477				
274. Senator Kerstetter: Relating to municipal waterworks.....	175					
275. Senator Beardon: Relating to session laws.....	175					
276. Senators Kyle and Beardon: Relating to examinations of state departments.....	175					
277. Senators Kyle and Beardon: Relating to vocational education.....	176					
278. Senator McAulay: Relating to game seasons.....	176	193	272		273	
279. Senator McDonald: Relating to education.....	181	508				
280. Senator Klemgard: Relating to public utilities.....	181					
281. Senator Sullivan: Relating to insurance.....	181					
282. Senator Todd: Relating to taxation.....	181					
283. Senator Todd: Relating to highways.....	182					
284. Senator Haddon: Relating to education.....	182	434				
285. Senator Haddon: Relating to education.....	182	434				
286. Senators Lovejoy and Haddon: Relating to municipal corporations.....	182					
287. Senator Rosellini (by request): Relating to labor disputes.....	182	486				
288. Senator Malstrom: Relating to political parties.....	183					
289. Senator McDonald: Relating to public lands.....	183	209	445	633	445	674
290. Senator Orndorff and Steler: Relating to real estate brokers.....	183	485				
291. Senator Edwards: Relating to novelty games.....	183					
292. Senator Farquharson: Relating to coercion of public school teachers.....	183					
293. Senator Maxwell: Relating to miscegenetic marriage.....	183					

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
294. Senator Maxwell: Relating to civil service for county sheriffs' offices..	184	486						
295. Senator Edwards: Relating to fisheries.....	184							
296. Senators Keeler and Haddon: Relating to highways.....	184							
297. Senator Wanamaker: Relating to child development.....	194	267						
298. Senator Sullivan: Relating to taxation.....	194							
299. Senator McAulay: Relating to highways.....	194							
300. Senator Roberts: Relating to sale of second hand watches.....	195	267	367	653	367	665	674	
301. Senator Reardon: Relating to state board of education.....	195	391	487		488			
302. Senators Lovejoy and Kyle: Relating to receiverships.....	195							
303. Senator Rosellini: Relating to payment of wages.....	195							
304. Senator Percival: Relating to water rights.....	195	244	358	758	359	782	786	
305. Senator Maxwell: Relating to sewer districts.....	195							
306. Senator Maxwell: Relating to sewers.....	196							
307. Senators Haddon and Atkinson: Relating to minors.....	200							
308. Senator McMillan: Relating to educational institutions.....	200							
309. Senator Sullivan: Relating to elections.....	201							
310. Senator Edwards: Relating to reforestation.....	201	391	429		430			

311. Senators Lovejoy and Kyle: Relating to the hospital and medical as- sociations	201					
312. Senators Morgan and Rosellini (by request): Relating to collection agencies	201					
313. Senators Morgan and Rosellini (by request): Relating to actions by an assignee	201					
314. Senator Holt: Relating to estates of prisoners	201					
315. Senators Sullivan and Edwards: Relating to pure food and drugs	202					
316. Senators Metcalf and Shorett: Relating to Isaac Ingalls Stevens	202	287	429			
317. Senators Schroeder and Wanamaker: Relating to electricians	202					
318. Senator Roberts: Relating to constables	211					
319. Senator Reardon: Relating to river improvement districts	211	300	415	756	415	783 786
320. Senator Reardon: Relating to flood control	211	300	416		416	
321. Senator Drumheller: Relating to oil, gas and mining leases	211	383	406	634	406, 634	675 674
322. Senator Holt: Relating to chiropractors' association	212	312	429	429, 447	429, 447	
323. Senator Wanamaker: Relating to forest reserve funds	212	434				
324. Senator Murfin: Relating to legislative council	212	486				
325. Senator Haddon: Relating to highways	212					
326. Senator Haddon: Relating to plumbing	212					
327. Senator Maxwell: Relating to chattel mortgages and conditional sales contracts	212					
328. Senators Duggan and Shorett: Relating to defense of tax suits	213	372	411		412	
329. Senators Kyle and Maxwell: Relating to practice of law	213					
330. Senator Thomas: Relating to assessment of property	213	311				
331. Senators Malstrom and Atkinson: Relating to legislative reference bureau	218	244		303		
332. Senator Farquharson: Relating to county owned real property	218	448				

348. Senator Sullivan: Relating to electrical construction.....	299	312	369	371	360	.....
349. Senator Maxwell: Relating to dissolution of commercial waterway districts.....	237	459	572	572	572	.....
350. Senator Maxwell: Relating to a naval and marine corps reserve armory.....	237	582	566	555, 663	556, 663	702
351. Senator Moe: Relating to contractors on public works.....	246	.....	.....	.....	.....	.....
352. Senator Morgan: Relating to common school fund.....	246	.....	.....	.....	.....	.....
353. Senator Roberts: Relating to milk control.....	246	.....	.....	.....	.....	.....
354. Senator Morgan: Relating to horse racing.....	246	.....	.....	.....	.....	.....
355. Senator Kyle: Relating to commercial trucks and trailers.....	257	406	499	499	.....	.....
356. Senator Sullivan: Relating to intoxicating liquor.....	257	391	.....	.....	.....	.....
357. Senators Lovejoy and Kyle: Relating to practice of law.....	257	353	405	630	405	702
358. Senator Maxwell: Relating to water districts.....	257	459	573	.....	574	.....
359. Senator Maxwell: Relating to county administration.....	258	389	384	612	384	655
360. Senator McDonald: Relating to state school lands.....	258	483	.....	.....	.....	.....
361. Senators Shorett and Reardon: Relating to water districts.....	258	388	412	756	413	786
362. Senators Lovejoy and Klemgard: Relating to state parks committee.....	258	.....	.....	.....	.....	.....
363. Senator McAulay: Relating to storage of fish or game.....	270	409	485	.....	485	.....
364. Senator McAulay: Relating to game and game fish.....	270	410	498	.....	498	.....
365. Senator McAulay: Relating to game and game fish.....	270	410	.....	.....	.....	.....
366. Senator Keeler: Relating to public lands.....	270	423	543	788	543	786
367. Senator Keller: Relating to highways.....	270	.....	.....	.....	.....	.....
368. Senator Troy: Relating to highways.....	270	.....	.....	.....	.....	.....
369. Senator Edwards: Relating to highways.....	270	.....	.....	.....	.....	.....
370. Senators Keller and Kyle: Relating to highway protective areas.....	271	312	.....	.....	.....	.....

387. Committee on Harbors and Waterways: Relating to port district elections	280		426	760	426		
388. Senators McAulay and Shoreff: Relating to annexation of county territory	296	525					
389. Committee on State Granted, School and Tide Lands: Relating to state lands	296		540		540		
390. Committee on State Granted, School and Tide Lands: Relating to meandered rivers and lakes	299	423	540		540		
391. Senator Keller: Relating to highway testing laboratory	299	354	437	633	437	655	674
392. Senator Keller: Relating to department of highways	299	353	438	633	438	655	674
393. Senator Keller: Relating to department of highways	299	354	438	633	438	655	674
394. Senator Keller: Relating to department of highways	299	354	439	756	439	782	786
395. Senator Keller: Relating to department of highways	299	353	440	758	440	782	786
396. Senator Keller: Relating to department of highways	300	353	440	758	440	782	786
397. Senator Holt: Relating to secondary state highways	300						
398. Senator Troy: Relating to divorce	300						
399. Senator Reardon: Relating to intoxicating liquor	300	372					
400. Senator Maxwell: Relating to legislative expenses	300		300	323, 324	301	324	355
401. Senator Maxwell: Relating to pilots and pilotage	301						369
402. Senator Murphy: Relating to superior court judges	302	368	358	634	358	655	674
403. Senator Edwards: Relating to state custodial school	302	353	357	634	357	655	674
404. Senator Haddon: Relating to highways	313						
405. Senator Troy: Relating to fisheries	313	409	497		498		
406. Senator Reardon: Relating to vacation of county roads	313						
407. Senator Drumheller: Relating to recall elections	313	436	455		450		
408. Senators McAulay and Rosellini: Relating to macaroni products	313	372	525	680	525	717	738

425. Senator Kyle: Relating to perpetuation of testimony.....	354					
426. Senator McAulay: Relating to campaign expenditures.....	354					
427. Committee on Rules and Joint Rules: Relating to public assistance.....	354	485	569	584 753, 764	570 755, 764	809
428. Senator Morgan: Relating to taxation.....	355					
429. Senator Roberts: Relating to commercial fisheries.....	374					
430. Senators Lovejoy and Malstrom: Relating to University of Wash- ington.....	374					
431. Senator Metcalf: Relating to taxation.....	374	545	576		576	
432. Senator Metcalf: Relating to county auditors and county treasurers.....	374	546	577		577	
433. Senators Shorett and Klemgard: Relating to appropriations.....	375	582	582, 595	749 752, 761 765, 792	586, 804	809
434. Senators Murphy and Atkinson: Relating to gift tax.....	375	448				
435. Senator McAulay: Relating to vocational education.....	375					
436. Senator McAulay: Relating to state game commission.....	375	410	444		444	
437. Senator Morgan (by request): Relating to the compromise of a cer- tain state law suit.....	375	486		489		
438. Senator Wanamaker (by departmental request): Relating to public health.....	376	410	530		530	786
439. Senator Murfin (by request): Relating to interference by electrical lines with telephone lines.....	376					
440. Senator McAulay: Relating to water districts.....	376					
441. Senator Moe: Relating to technical criminal research.....	376	525	573		573	
442. Senator Shorett: Relating to drainage along county roads.....	376					
443. Senator Klemgard: Relating to superior court judges in King county.....	377					
444. Senator Kerstetter: Relating to department of social security.....	377					

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
445. Senator McAulay: Relating to education.....	377							
446. Senator Holt: Relating to corporations.....	377							
447. Senator Holt: Relating to metalliferous mining securities.....	377							
448. Senators Moe and Stinson: Relating to highways.....	378	408	575	758	575	782	786	
449. Senator Schroeder: Relating to investigation of milk and milk products.....	394							
450. Senator Klemgard: Relating to transportation by motor vehicles.....	394	500	578	767	579			
451. Senator Maxwell: Relating to steamboat companies.....	394							
452. Senator Maxwell: Relating to fishing resources of state.....	394	533						
453. Senator Keller: Relating to court costs.....	394							
454. Senator Duggan: Relating to extraordinary sessions.....	395	485						
455. Senator McAulay: Relating to relief of C. H. Dills.....	395							
456. Senator Schroeder: Relating to state timber.....	395	409	529	758	530	782	786	
457. Senators Roberts and Maxwell: Relating to county purchasing departments.....	395	525	535	536				
458. Senator Mastrom: Relating to school revenues.....	395	500						
459. Senator Rosellini: Relating to old age assistance.....	395							
460. Senator Rosellini: Relating to intoxicating liquor.....	396							
461. Senator Maxwell: Relating to certification of teachers.....	396							

462. Senators Reardon and Kyle: Relating to state departments.....	386					
463. Senator Moe: Relating to relief of estate of Helen J. Zindorf.....	386					
464. Senator Moe: Relating to education.....	386					
465. Senator Moe: Relating to disbursement of public funds.....	386					
466. Senator Moe: Relating to school district finances.....	387	485	524	761, 791	585	800
467. Senators Koontz and Wanamaker: Relating to unemployment relief...	387					
468. Senator Murphy: Relating to taxation and exemptions.....	387	484	524	683	524	685
469. Senator Koontz: Relating to registration of voters.....	387					
470. Senator Holt: Relating to priority of appropriations.....	387					
471. Senator Farquharson: Relating to taxation.....	387					
472. Senator Murphy: Relating to local improvement assessments.....	387					
473. Senator Wanamaker: Relating to highways.....	387					
474. Senator Wanamaker: Relating to motor vehicle fund.....	388					
475. Senator Sieler: Relating to White Pass highway.....	388	474	575		376	
476. Senator Sieler: Relating to county clerks.....	388					
477. Senator Sieler: Relating to tax foreclosure actions.....	388					
478. Senator Sieler: Relating to sales for delinquent taxes.....	388					
479. Senator Keeler: Relating to highways.....	388					
480. Senator Duggan: Relating to regulation of publicly owned utilities...	389					
481. Senator Duggan (by request): Relating to corporations.....	389					
482. Senator Maxwell: Relating to sewer districts.....	389	525	558, 564		564	
483. Senator Maxwell: Relating to city sewerage systems.....	389	525	564, 568		568	
484. Senator Murphy: Relating to vehicle inspection.....	389					
485. Senator Klemgard: Relating to motor vehicle fund.....	400					

TITLE AND HISTORY OF SENATE BILLS—Continued

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
486. Senator Lovejoy: Relating to intoxicating liquor.....	400							
487. Senator Sieler: Relating to taxation.....	400	476	495	497, 664	497, 664	603	702	
488. Senator Sieler: Relating to appropriations.....	400							
489. Senator Sieler: Relating to public welfare.....	400							
490. Senator Sieler: Relating to state and county government.....	400	423	554		555			
491. Senator Sieler: Relating to state and county highways.....	401							
492. Senator Sieler: Relating to public education.....	401	494						
493. Senator Sieler: Relating to institutions of higher education.....	401							

TITLE AND HISTORY OF SENATE JOINT MEMORIALS

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker
1. Senator Troy: Relating to closing a portion of Stevens county to grazing	43	52	68	199, 200	68, 199	214	233
2. Senators Todd and Keeler: Relating to old age assistance	47	66	.....	89	.....	.....	.....
3. Senators Atkinson and McDonald: Relating to export traffic in war materials to Japan	47	163	.....	.....	.....	.....	.....
4. Senator Metcalf: Relating to golden jubilee postage stamp	47	.....	47	90, 245	47	94	97
5. Senator Thomas: Relating to Works Progress Administration	88	.....	.....	.....	.....	.....	.....
6. Senator Mills: Relating to Columbia river	96	163	187	.....	187	.....	.....
7. Senator Maxwell: Relating to fishing	102	163	188	.....	188	.....	.....
8. Senator Metcalf: Relating to national defense	118	210	283	.....	284	.....	.....
9. Senator Roberts: Relating to harbor defenses	162	.....	.....	.....	.....	.....	.....
10. Senators Metcalf and Mills: Relating to celebration of discoveries of Captain Gray	208	288	.....	.....	.....	.....	.....
11. Senators Roup and Copeland: Relating to Lewis and Clark highway	217	288	349	634	349	656	674
12. Senators Wanamaker and Keeler: Relating to Keystone harbor	352	.....	.....	.....	.....	.....	.....
13. Senator Atkinson: Relating to advertising of alcoholic beverages	371	448	.....	.....	.....	.....	.....

TITLE AND HISTORY OF SENATE JOINT RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker
1. Senator Reardon: Providing for an amendment to the constitution limiting tenure of county offices.....	23	151	185	191, 612	185	635	655
2. Senator Morgan: Relating to state patrol.....	55						
3. Senator Farquharson: Relating to constitutional amendment for a single legislative body.....	56						
4. Senators Orndorff and Roup: Relating to taxation.....	62	368	430	432, 447	432		
5. Senator Reardon: Relating to constitutional amendments.....	90						
6. Senator Reardon: Relating to constitutional amendment.....	90						
7. Special Committee on Golden Jubilee: Relating to golden jubilee.....	96		96	120, 131	96	135	140
8. Senator McAulay: Relating to constitutional amendment.....	97	119, 267	307	119, 612	308	635	655
9. Senator Kyle: Relating to constitutional amendment.....	101	368					
10. Senators Wanamaker and Stinson: Relating to constitutional amendment.....	102						
11. Committee on Rules and Joint Rules (by executive request): Relating to taxation.....	118						
12. Senator Roberts: Relating to legislative salaries.....	135	267					
13. Senator Maxwell: Relating to flag week.....	235		235	243	235		
14. Senator Holt: Relating to constitutional amendment to provide net income tax.....	243	368	543	544, 548, 548, 548	544, 548		
15. Senators Sieler and Mills: Relating to constitutional amendment on reapportionment of Legislature.....	277						

16. Committee on Constitutional Revision: Relating to constitutional amendment on salaries of state officers.....	370						
17. Senator Schroeder: Relating to milk and milk products.....	390						
18. Senator Troy: Relating to gift of Clarence J. Lord home to state.....	419	420	435	430	445	473	

TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS

NUMBER, AUTHOR AND SUBJECT	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker
1. Senator Drumheller: Relating to joint rules.....	55	65	65	70 98, 102	65, 98	111	117
2. Senator Wanamaker: Relating to golden jubilee.....	89	.....	.....	104, 111	90	111	117
3. Senator Duggan: Relating to marriage law conference.....	138	.....	.....	164	139	172	174
4. Committee on Rules and Joint Rules: Relating to the closing of the Legislature	421	.....	421	435	421	445	473
5. Senator Schroeder: Relating to investigation of milk and milk products	582	.....	582	.....	582	.....	.....
6. Senator Keeler: Relating to appointment of committee to notify Governor of adjournment.....	809	.....	809	810	809	810	810

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE

	Message from the House	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
2. Mr. Olson: Relating to public schools.....	216	220	237	662	.....	602	655	655	.....
5. Mr. Hurley: Relating to homesteads.....	132	137	.....	.....	.....	.....	.....	.....	.....
8. Mr. Hurley: Relating to executors and administrators.....	164	169	278	320	.....	320	381	303	.....
9. Mr. Hurley: Relating to notice to creditors of estates.....	83	87	610	.....	.....	.....	.....	.....	.....
10. Mr. Hurley: Relating to executors and administrators.....	190	196	278	319	330	319	381	363	.....
11. Mr. Cameron: Relating to traffic in certain drugs.....	104	108	119	138	149	138	149	149	.....
20. Mr. Cowen: Relating to old capitol building.....	56	68	133	137	.....	137	149	149	.....
23. Mr. Underwood: Relating to dogs.....	435	449	.....	.....	.....	.....	.....	.....	.....
25. Mr. Hatley: Relating to relief of disabled veterans.....	511	213	267	467	487	468	629	508	.....
29. (Substitute) Committee on Education: Relating to public school employees' retirement system.....	312	314	371	468	.....	468	518	513	.....
30. Mr. Henry: Relating to legal aid.....	269	272	611	638	.....	638	675	675	.....
33. Mr. Carty: Relating to elections.....	112	116	211	248	269	248	283	279	.....
35. Mr. Hurley: Relating to volunteer firemen.....	246	247	610	640	.....	640	675	675	.....
37. Mr. Cameron: Relating to metropolitan park districts.....	190	196	373	466	477	466	518	513	.....
39. Messrs. Sherman, Pearson and Savage: Relating to counties.....	112	116	547	.....	.....	.....	.....	.....	.....
40. Messrs. Sherman, Pearson and Savage: Relating to teachers' institutes	448	451	494	616	.....	616	675	675	.....
41. Messrs. Sherman, Pearson and Savage: Relating to Olympic National Park.....	246	247	373	463	487	463	518	513	.....

NUMBER, AUTHOR AND SUBJECT

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message from the House	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
43. Mr. Pettus: Relating to the blind.....	513	515							
44. Mr. Underwood: Relating to city charters.....	312	314							
47. Mr. Kinneer (Geo.): Relating to guardians, executors and administrators.....	216	221							
55. Mr. Schumann: Relating to executions.....	164	169	310	606	633	606	675	675	
58. Mr. Bienz: Relating to drug prescriptions.....	104	108	244	320		321	381	368	
60. Mr. Bienz: Relating to drugs.....	373	378	410	471		472	518	513	
64. Mr. Hay: Relating to public property.....	216	221							
68. Mr. Vane: Relating to probate.....	435	449	682	716	739	716	786	785	
70. Mr. Rosellini: Relating to collection agencies.....	216	221	611						
71. Mr. Rosellini: Relating to birth certificates.....	216	221	610	640		640	675	675	
78. Mr. Hurley (John R.): Relating to education.....	435	449	494	699		700	782	763	
80. Mr. Jones (John R.): Relating to taxation.....	592	425	630	700	708	701	786	785	
81. Mr. Bienz: Relating to fire protection districts.....	100	196	278	317	350	317	393	393	
83. (Substitute) Committee on Dairy and Livestock: Relating to meat inspection and sale.....	435	450	486						
86. Mr. Hanson: Relating to game.....	246	247	339						
87. Mr. Mohler: Relating to taxation.....	151	156	163	170	169	170	181	181	
90. Mr. Reilly: Relating to municipal employees.....	448	451	684	722	741	722	809	800	

91. Mr. Guisinger: Relating to workmen's compensation.....	246	247	339	472	472	518	513
92. Messrs. Sherman, Pearson and Savage: Relating to harbor lines.....	312	315	494	604	604	635	632
94. Messrs. Austin and Armstrong: Relating to bailiffs.....	418	451	632	661	707	800	805
96. Mr. Swegle: Relating to motor vehicle loans.....	448	451	476				
100. Mr. Sherman: Relating to workmen's compensation.....	216	221	339	606	633	809	809
101. Mr. Hatley: Relating to schools.....	216	221	288	304		335	335
103. Mr. French: Relating to taxation.....	151	156	200	249		276	276
104. Mr. Lauman: Relating to veterans.....	250	282	104	471	487	629	518
105. Mrs. Kehoe: Relating to display of flag.....	135	144	210	249	269	283	279
108. Mr. Hurley (Joseph E.): Relating to state lands.....	135	144	193	262		276	276
109. Mr. Hurley (Joseph E.): Relating to state lands.....	135	144	193	262		276	276
110. Mr. Chervenka (by departmental request): Relating to nursery stock.....	190	196	268	462		518	513
111. Messrs. Twidwell, Pearsall and Mackie: Relating to city elections.....	448	452	597				
113. Mr. Swegle: Relating to municipal corporations.....	234	234	434	603		635	632
117. Mr. Smith (Vernon A.): Relating to sewers.....	373	378	632				
119. Committee on Rules and Order: Relating to temporary session laws.....	132	137	192	254	253	276	276
120. Miss Butler: Relating to drainage.....	448	452					
121. Mr. Bienz: Relating to teachers' tenure.....	531	532	632		683		
123. Mr. Devenish: Relating to motor vehicles.....	164	100	268	318	385, 354, 318, 336	336	367
126. Mr. Moulton: Relating to irrigation districts.....	269	272	450	670	719	786	785
128. Mr. Jackson: Relating to labor.....	448	452	632	668	707	782	763
131. Messrs. Vane and Jackson: Relating to taxation.....	312	315	431	461		620	508
132. Committee on Dairy and Livestock: Relating to diseased animals.....	199	202	279, 372	466	503	518	513
134. Messrs. Vane and Jackson: Relating to metropolitan park districts.....	313	315	373	461		518	513

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

	Message from the House	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
135. Mr. Jones (John R.): Relating to commission merchants.....	313	315	423	600	633	601	675	675	.....
138. Mr. Sherman: Relating to boiler inspection.....	269	71	.....	.....	.....	.....	.....	.....	.....
145. Mr. Payne: Relating to retail sales tax.....	308	599	610	723	676 746, 750 764, 765 784	724	.....	.....	.....
146. Mr. Kinnear (Geo. C.): Relating to taxes.....	397	302	598	.....	789, 804	700	.....	.....	.....
148. Mr. Kinnear (Geo. C.): Relating to industrial loan companies.....	234	234	297	470	486, 750	470	685	682	.....
152. Mr. Jones (D. W.): Relating to municipal corporations.....	313	316	372	601	.....	601	655	655	.....
156. (Substitute) Committee on Appropriations: Relating to the Pacific Northwest Centennial Exposition.....	448	452	533	661	662 665, 706 741, 759	666	782	763	.....
161. Mr. Martin: Relating to aliens and public employment.....	435	449	630	697	762, 784	697	.....	.....	.....
163. Mr. Riley: Relating to taxation.....	313	316	611	733	741	734	782	763	.....
171. Mr. Woodall: Relating to police courts.....	313	316	666	.....	.....	.....	.....	.....	.....
172. Committee on Rules and Order (by executive request): Relating to intoxicating liquors.....	448	452	.....	689	.....	692	782	763	.....
175. Mr. Van Dyk: Relating to taxation.....	478	479	634	782	748 758, 767	733, 707	809	805	.....
177. Mr. Bienz: Relating to water power fees.....	269	271	338	615	.....	615	675	675	.....
180. Mr. Riley: Relating to life insurance.....	383	401	423	614	.....	614	675	675	.....
181. Mr. Martin: Relating to bounties.....	246	247	338	635	.....	636	675	675	.....
184. Mr. Reilly: Relating to education.....	373	378	438	651	680	651	782	762	.....

NUMBER, AUTHOR AND SUBJECT

188. Mr. Lindsay: Relating to savings and loan associations.....	373	378	391	469	512	469	635	632	.....
189. Committee on Dairy and Livestock: Relating to dairy industry.....	289	271	309	461	475, 532	462, 475.	635	632	.....
190. Committee on Rules and Order: Relating to workmen's compensation	448	452	545	619	680	620	717	715	.....
191. Committee on Rules and Order: Relating to classification and rates of industrial insurance.....	448	456	545	613	680	613	782	762	.....
192. (Substitute) Committee on Roads and Bridges: Relating to mine to market roads	563	401	509	646	.....	646	675	675	.....
198. Mr. Reilly: Relating to crimes.....	474	479	509	625	627	625, 629	.....	.....	.....
201. Mr. Lindsay: Relating to credit unions.....	299	272	301	602	.....	603	655	655	.....
204. Mr. Payne: Relating to University of Washington.....	373	378	476	678	.....	678	782	763	.....
208. Committee on Dairy and Livestock: Relating to livestock.....	246	247	311	624	680	624	717	715	.....
217. Mr. Turner: Relating to justices of the peace in first class cities.....	373	378	611	.....	.....	.....	.....	.....	.....
221. Judiciary Committee: Relating to wages of deceased employees.....	573	379	648	671	707	671	782	763	.....
223. Mr. Lindsay: Relating to painting.....	478	479	630	.....	631	.....	.....	.....	.....
224. Mr. Jackson: Relating to first aid meets.....	531	553	648	.....	.....	.....	.....	.....	.....
225. Mr. Hanson: Relating to coal mining.....	313	316	474	641	680	641	717	715	.....
226. (Substitute) Committee on Horticulture: Relating to deciduous tree fruits or hops.....	435	449	648	667	669, 707	665	.....	.....	.....
227. Mr. McQuesten (by request): Relating to Washington state honey act	513	513	545	645	.....	646	675	675	.....
231. Mr. Martin (by departmental request): Relating to wild life and game	435	449	597	705	.....	705	782	763	.....
235. Mr. Cowen: Relating to public highways.....	280	282	373	729	.....	730	782	763	.....
236. Committee on Agriculture: Relating to district fairs.....	313	316	525	623	680	623	717	715	.....
240. Mr. Smith (Vernon A.) (by departmental request): Relating to release or parole of criminals.....	531	553	597	617	.....	617	675	675	.....
242. (Substitute) Committee on State Penal and Reformatory Institutions: Relating to conservation camps for prisoners.....	533	550	597	617	.....	618	675	675	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

NUMBER, AUTHOR AND SUBJECT	Message from the House	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
243. Mr. Smith (Vernon A.) (by departmental request): Relating to witnesses in criminal cases.....	551	551							
244. Mr. Smith (Vernon A.) (by departmental request): Relating to the uniform act on fresh pursuit.....	551	551							
247. Mr. Reilly (by departmental request): Relating to Washington State College.....	448	453	611	642		642	675	675	
248. Mr. Reilly (by departmental request): Relating to current state school suspense fund.....	448	453	611	643		643	675	675	
249. Mr. Reilly (by departmental request): Relating to the state athletic fund.....	448	453	611	643		644	675	675	
250. Mr. Reilly (by departmental request): Relating to veterans compensation bond retirement fund.....	448	453	611	644		644	675	675	
253. Mr. Reilly (by departmental request): Relating to oyster reserve fund.....	448	454	611	652	645, 649	652	675	675	
257. Mrs. Kehoe: Relating to state library commission.....	597	592	373	569		600	655	655	
259. Mr. Devenish (by departmental request): Relating to excise tax on gasoline and other inflammable liquids.....	373	379	485, 494	663, 702	485	703	782	763	
260. Committee on Rules and Order (by executive request): Relating to intoxicating liquors.....	245	246	268	692		692	782	763	
263. Mr. Carty: Relating to assessment of personal property.....	383	401	476	607	633	608	655	655	
264. Mr. Carty: Relating to taxation.....	383	401	476	609		609	635	632	
267. Judiciary Committee: Relating to inventory of estates.....	373	379	611						

268. Mr. Riley (by departmental request): Relating to sale of securities.....	478	479	546	672, 677	672	677	782	762
269. Mr. Kinnear (Geo. C.): Relating to official court reporters.....	513	515	611	650	650	650	675	675
271. Mr. Hurley (Joseph E.): Relating to corporations.....	393	402	647	704	704	704	809	805
277. Mr. Moulton: Relating to eradication of animal diseases.....	478	479	648	660	660	660		
282. Committee on Commerce and Manufacturing: Relating to unfair practices act.....	392	402	484	639	706	639	782	763
283. Mr. Pearsall (by departmental request): Relating to education.....	313	316	391					
284. Judiciary Committee: Relating to public documents of the state.....	392	425	484					
285. Committee on State Granted, School and Tide Lands: Relating to right of way over state lands.....	280	282	533					
286. Committee on Reclamation and Irrigation (by departmental request): Relating to irrigation districts.....	313	317	388	645	645	645	675	675
287. Committee on State Granted, School and Tide Lands (by departmental request): Relating to state lands.....	534	551	654	698	698	698	782	768
289. Committee on Forestry and Logged Off Lands (by departmental request): Relating to forestry.....	297	302	391	620	620	621	675	675
298. Mr. Reilly (by departmental request): Relating to finances.....	534	551	643	726	739	727	782	763
299. Mr. Reilly (by departmental request): Relating to depositories of public funds.....	534	550	648	727	727	727	786	785
300. Miss Butler: Relating to political parties.....	313	317	409	473	473	473	518	513
312. Mr. Eddy: Relating to the state law librarian.....	435	450	649	730	740	731	782	763
314. Mr. Swegle: Relating to sale of unclaimed personal property by cities.....	513	513	619	731	731	731	782	763
315. Mr. Sandegren: Relating to surveys.....	435	450						
322. Judiciary Committee: Relating to the uniform trust receipts act.....	393	402	484	705	706	706		
323. Committee on Cities of the First Class: Relating to municipally owned street railways.....	382	402	409	460	487	461	629	598
324. Committee on Horticulture: Relating to apples.....	393	403	647	735	735	735	809	805

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

	Message from the House	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
325. Committee on Medicine, Dentistry, Pure Food and Drugs: Relating to sale of certain drugs.....	246	248	297	319	740	320	381	368	.....
327. Mr. McQuesten: Relating to the Sokulk Indians.....	513	515	597	642	.....	642	675	675	.....
334. Mr. Riley: Relating to veterans' compensation bond retirement fund.....	478	480	603	.....	.....	.....	.....	.....	.....
342. Committee on Reclamation and Irrigation: Relating to irrigation districts.....	373	379	423	728	740	728	782	763	.....
343. Committee on Reclamation and Irrigation: Relating to irrigation districts.....	373	379	630	729	.....	729	782	763	.....
346. Mr. Reilly: Relating to education.....	513	516	631	.....	.....	.....	.....	.....	.....
347. Mr. Reilly: Relating to transportation of school pupils.....	513	514	631	.....	739	.....	.....	.....	.....
348. Mr. Riley: Relating to proceeds of life insurance.....	531	552	597	727	.....	728	782	765	.....
351. Messrs. Martin and Egbert: Relating to the Washington Feed, Fertilizer and Livestock Remedy Act.....	435	450	544	725	740	725	800	800	.....
364. Mr. Reilly (by request): Relating to sale of property acquired for taxes.....	533	549	.....	.....	.....	.....	.....	.....	.....
365. Mr. Reilly (by request): Relating to interest coupons on public bonds.....	393	402	654	635	.....	635	.....	.....	.....
368. Mr. Sylvester: Relating to fraternal benefit societies.....	435	451	524	649	.....	649	675	675	.....
369. Mr. Reilly (by request): Relating to police matrons.....	513	514	610	.....	.....	649	675	675	.....
372. Mr. Payne: Relating to the Uniform Stock Transfer Act.....	392	403	411	612	.....	613	675	675	.....

NUMBER, AUTHOR AND SUBJECT

379. Mr. Reilly (by request): Relating to bonds of counties and cities.....	513	514	597	720	720	809	805
380. Mr. Chervenka: Relating to taxation.....	533	549	610	669	669	717	715
381. Mr. Martin: Relating to tidelands.....	475	480	563	665	666	717	715
382. Mr. Mackie: Relating to county homesite lands.....	393	403	648	721	676	809	806
385. Mr. Riley: Relating to insurance.....	448	454	524	650	651	675	675
389. Mr. Rosellini: Relating to bail.....	513	514	.....	.....	.....	.....	.....
392. (Substitute) Committee on Roads and Bridges: Relating to highways.....	618	619	654	678	718	809	809
393. Mr. Fry: Relating to veterinary practice.....	533	549	647	.....	.....	.....	.....
397. Mr. Smith (Vernon A.): Relating to motor truck fees.....	513	514	.....	.....	.....	.....	.....
399. Mr. Riley (by departmental request): Relating to insurance.....	513	514	583	56	656	717	715
401. Messrs. Pearson, Sherman and Savage: Relating to state parks.....	531	532	654	724	740	786	785
406. Miss Butler: Relating to highways.....	513	514	631	672	707	782	763
407. Mr. Reilly: Relating to insurance companies.....	448	454	524	607	633	675	675
409. Messrs. Pearsall, Twidwell and Mackie: Relating to fish.....	435	450	675	.....	.....	.....	.....
415. Messrs. Mohler and Warnica: Relating to state military department.....	532	532	631	730	730	786	785
425. Mr. Reilly (by departmental request): Relating to inheritance taxes.....	478	480	612	636	680	786	785
426. Judiciary Committee: Relating to bonds of governmental or taxing districts.....	435	450	648	732	732	786	785
432. Committee on Parks and Playgrounds: Relating to vehicle operators' license fees.....	448	454	494	621	622	675	675
438. Mr. Woodall: Relating to education of Indians.....	513	516	649	.....	.....	.....	.....
450. Mr. Hurley (John R.): Relating to appropriations.....	618	618	696	711	740 759, 767 781, 786, 714, 782	809	809
453. Messrs. Armstrong and Austin: Relating to cities of first class.....	532	551	636	.....	.....	.....	.....
466. Committee on Insurance: Relating to state insurance commissioner.....	513	515	533	663	663	717	715

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued

	Message from the House	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker	Signed or Vetoed by Governor
471. Mr. Devenish: Relating to operation of motor vehicles.....	508	509	631	604, 716	605, 717	786	785	785	.....
473. Mr. Devenish: Relating to motor vehicles.....	533	550	631	.....	709	786	785	785	.....
477. Mr. Schumann: Relating to water rights.....	532	552	630	.....	.....	.....	.....	.....	.....
487. Messrs. Moulton and Coe: Relating to public utility tax.....	513	515	.....	.....	.....	.....	.....	.....	.....
521. Mr. Woodall: Relating to taxation.....	532	552	507	734	.....	734	786	785	.....
524. Mr. Warnica: Relating to investigation of telephone rates.....	533	550	.....	.....	.....	.....	.....	.....	.....
535. Mr. Warnica: Relating to public utilities.....	534	550	674	703	719	703	786	785	.....
536. Messrs. Moulton and Coe: Relating to electrical transmission lines.....	513	515	525	.....	.....	.....	.....	.....	.....
541. Mr. Isenhart: Relating to apple industry.....	548	508	648	736	740	736	786	785	.....
561. Messrs. Cowen and Reilly: Relating to university tuition fees.....	506	509	632	673	.....	674	782	762	.....
565. Mr. Egbert: Relating to dikes and drains.....	532	550	630	669	.....	670	717	715	.....

NUMBER, AUTHOR AND SUBJECT

TITLE AND HISTORY OF HOUSE JOINT MEMORIALS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	<i>Message from the House</i>	<i>Read First and Second Time and Referred</i>	<i>Report of Committee</i>	<i>Third Reading</i>	<i>Other Actions</i>	<i>Vote on Final Passage</i>	<i>Signed by President of Senate</i>	<i>Signed by Speaker</i>
2. Mr. Payne: Relating to Puget Sound shipyards.....	135	139	163					
4. Mr. Nordenberg: Relating to breakwater at Shilshole Bay.....	104	107	163					
7. Committee on Memorials: Relating to General Welfare Act.....	149	150						
8. Messrs. Mackie, Twidwell and Pearsall: Relating to shingle industry.....	199	202	288	345		346		
21. Mr. Hanson: Relating to control of noxious weeds.....	532	551						

TITLE AND HISTORY OF HOUSE JOINT RESOLUTIONS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	Message from the House	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker
4. Messrs. Beckley and Babcock: Relating to social security.....	199	208	631	667	707	667	782	763
13. Mr. Lindsay: Relating to constitutional amendment on salaries.....	508	508						

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN THE SENATE

NUMBER, AUTHOR AND SUBJECT	Message from the House	Read First and Second Time and Referred	Report of Committee	Third Reading	Other Actions	Vote on Final Passage	Signed by President of Senate	Signed by Speaker
1. Mr. Reilly: Relating to organization of session.....	21	21	.....	21	.....	21	77	77
2. Mr. Reilly: Relating to joint session.....	22	22	.....	22	.....	22	77	77
3. Committee on Rules and Order: Relating to memorial services.....	149	150	.....	162	.....	162	335	335
4. Committee on Printing: Relating to Legislative Manual.....	104	108	.....	106	.....	106	135	131
6. Mr. Fry: Relating to the return ball.....	206	227	.....	207	.....	227	245	245



GENERAL INDEX

Accident Policies:

Life policies, accident policies deemed life policies if they provide for death benefits, House Bill No. 180.

Accidents:

Coal mining, parties to be notified in case of, Senate Bill No. 183.

Life policies, accident policies deemed life policies if they provide for death benefits, House Bill No. 180.

Mine disasters, duties of resident district officer of miners' organization, House Bill No. 225.

Accounts:

Prohibiting persons or firms from engaging in business of collecting, of others, Senate Bill No. 313.

Acme Finance Company:

Appropriation for payment of judgment of, Senate Bill No. 433.

Adjournment of Legislature Sine Die:

Committee to inform Governor of, appointment of.....Page 810

Report of Senate committee on.....Page 811

Report of House committee that House of Representatives is ready for..... Pages 810, 811

Adjustment Schools:

Mentally defective children, who required special instruction, establishment of Senate Bill No. 211.

Administrators:

Action may be brought by, of one who met death due to negligence of another party, Senate Bill No. 248.

Creditors, filing publication of notice to, by administrators, House Bill No. 9.

Creditors of deceased persons, authorizing, to file demand for notice of proceedings by, House Bill No. 68.

Creditors, published notice to, of resignation or removal of administrators, House Bill No. 8.

Inheritance tax, coordination law relating to, House Bill No. 425.

Letters testamentary, issuance of, or of administration without bond in some instance, House Bill No. 10.

Shares of stock, making uniform law regulating transfer, indorsement and delivery of, House Bill No. 372.

Adoption:

Birth certificates of adopted children, House Bill No. 71.

Court to appoint person to make investigation of petitioner, Senate Bill No. 242.

Inheritance tax, coordinating law relating to, House Bill No. 425.

Investigation of conditions relative to, Senate Bill No. 242.

Minor children, Senate Bill No. 241.

Adult Education:

Deaf to receive free lip-reading instruction, House Bill No. 2.

Advertising:

Billboard and outdoor, regulating and licensing persons engaged in, Senate Bill No. 221.

Dairy products, advertising and sales promotion campaign to increase consumption of, House Bill No. 189.

Dentistry, prohibited, Senate Bill No. 264.

Food, drugs and cosmetic act, regulations to be observed, Senate Bill No. 315.

Liquor, between states, Senate Joint Memorial No. 13.

Liquor, by Board, not permissible, Senate Bill No. 185.

Macaroni products, regulations to be observed, Senate Bill No. 408.

Second hand watches to be advertised as such, Senate Bill No. 300.

Agricultural Experiment Station:

Soil Conservation Committee, member to be director of Washington State, Senate Bill No. 343.

Agricultural Prorate Commission:

Establishment of, duties and functions of, Senate Bill No. 336.

Agricultural Prorate Commission Fund:

Establishment of, use of Commission, Senate Bill No. 336.

Agriculture:

Apples, sale of, must be in compliance with requirements of Director of Agriculture, House Bill No. 324.

Branded cattle, inspection of, House Bill No. 208.

Conservation of, products by establishment of prorated marketing zones, Senate Bill No. 336.

Dairy products, advertising and sales promotion campaign to increase consumption of, House Bill No. 189.

Fairs, providing for district exhibitions of agricultural products, House Bill No. 236.

License required to sell agricultural products on commission, House Bill No. 135.

Sale of commodities, except grains, prohibited by persons not owning or holding mortgages on, House Bill No. 226.

Air-Craft Artillery:

National guard to be allotted to this state, Senate Joint Memorial No. 8.

Airplanes:

Insurance on, tax on premiums, Senate Bill No. 281.

Airports:

Bonds issued by municipalities for construction of, Senate Bill No. 286.

Alder:

Yelm to, establishment of secondary state highway, Senate Bill No. 368.

Aliens:

Prohibited from joining labor organizations, Senate Bill No. 21.

Almira:

State Road No. 7, secondary highway No. 7C from Marlin to Almira to be branch of, House Bill No. 392.

American Eagle:

Unlawful to hunt or kill, Senate Bill No. 381.

Amytal:

Sale, gift, barter, exchange, prohibited, Senate Bill No. 24.

Sale of, regulating, House Bill No. 325.

Anacortes:

Whidby Island to, establishment of primary state highway, Senate Bill No. 473.

Anesthesia:

Definition of, relative to the practice of sanipractic, Senate Bill No. 263.

Animals:

Additional open and closed hunting seasons, Senate Bill No. 278.

Coyotes, \$5 bounty for killing adult, House Bill No. 181.

Foreign game, registration of same with State Game Commission, Senate Bill No. 365.

Fur bearing, to be personal property, Senate Bill No. 243.

Hunting of, by parties of two or more, regulations to be observed, Senate Bill No. 364.

Injury to, by vehicle, operator to notify authorities, Senate Bill No. 140.

Prevention of cruelty to, Senate Bill No. 154.

Storage of game, regulations to be observed, Senate Bill No. 363.

Apples:

- Prohibiting unfair trade practices and preventing frauds, House Bill No. 541.
 Sale of, must be in compliance with requirements of Director of Agriculture,
 House Bill No. 324.

Appointments:

- By Governor, to state departments, boards, etc., confirmation of...Pages 456, 509-12
 By Governor, to state departments, boards, etc., letter regarding.....Page 424

Appraisement:

- Estate, consisting of personal property of less value than \$250, appraisement dis-
 pensed with, House Bill No. 425.
 Estates consisting only of money or bank deposits not to be appraised, House Bill
 No. 267.
 Estates over \$5000, appraiser to receive one-tenth of one per cent of inventoried
 value of estate as fee, House Bill No. 425.
 Prescribing method of, on property for assessment, Senate Bill No. 56.
 Public utilities to pay cost of certain appraisals by Department of Public Service,
 House Bill No. 535.

Approach to University of Washington Campus:

- Construction of, resolution regarding.....Page 676

Appropriations:

- Acme Finance Company, for payment of judgment of, Senate Bill No. 433.
 Agricultural prorated marketing zone act, establishment of, Senate Bill No. 336.
 Alexander, J. F., from highway safety fund, for payment of judgment to, Senate Bill
 No. 433.
 Auto mechanics licensing act, funds for establishing of, Senate Bill No. 182.
 Ayer, Ellis C., for payment of judgment to, Senate Bill No. 433.
 Benton County, for, Senate Bill No. 433.
 Board of Budget Review, salaries, Senate Bill No. 90.
 Board of Prison Terms and Paroles, for, Senate Bill No. 433.
 Boiler inspection, \$10,000 for provisions of act relating to, House Bill No. 138.
 Bridge across Columbia Slough from Puget Island to Cathlamet, \$60,000, House Bill
 No. 406.
 Bronson, Philip, for payment of judgment to, Senate Bill No. 433.
 Campus approach to University of Washington, Substitute Senate Bill No. 36.
 Capital outlay, for Department of Highways, Senate Bill No. 393.
 Carlisle Lumber Company, for payment of judgment to, Senate Bill No. 433.
 Cascade Tunnel Commission, expenses for, Senate Bill No. 380.
 Central College of Education, for, Senate Bill No. 433.
 Centralia, for local improvement district of, Senate Bill No. 433.
 Chicago, Milwaukee, St. Paul & Pacific Railroad Co., from public service revolving
 fund, for payment of judgment to, Senate Bill No. 433.
 Children of soldiers, sailors, and marines killed during world war to receive edu-
 cational opportunities, House Bill No. 78.
 Civil service, four-tenths of one per cent of total payroll under scope of act,
 Senate Bill No. 137.
 Code, compilation of, containing constitutional provisions and state statutes for
 third and fourth-class cities, House Bill No. 113.
 Code of the election laws, to be submitted to members of legislature, Senate Bill
 No. 385.
 Commission on Economy, Efficiency and Simplicity in State Government, expenses
 for, Senate Bill No. 462.
 Columbia River, construction of river wall on the, Senate Joint Memorial No. 6.
 County committee on reorganization of school districts, funds for, Senate Bill No. 335.
 County road maintenance and construction, reappropriation from motor vehicle
 fund, Senate Bill No. 395.
 Cowlitz County, for, Senate Bill No. 433.
 Defense of tax suits, funds for, Senate Bill No. 328.
 Department of Social Security, reappropriation for, Senate Bill No. 433.
 Deposit interest fund, appropriating \$33,570.29 from, to charge off "deposits in closed
 banks" item, House Bill No. 298.

Appropriations—Continued:

- Des Chutes waterway, for, Senate Bill No. 433.
 Dills, C. H., relief of, Senate Bill No. 455.
 Disposition of bonds for acquiring, seeding, reforestation and administering lands for forests, Senate Bill No. 98.
 Division of the Blind, for establishing the home industries revolving fund, Senate Bill No. 228.
 Eastern Washington College of Education, for, Senate Bill No. 433.
 Establishment of food and drug fund, Senate Bill No. 15.
 Expenses for 1939 legislature, \$125,000.00, Senate Bill No. 1.
 Fairs, \$49,000.00 for agricultural display at district, House Bill No. 236.
 Federation park fund, disposition of Big Tree State Park, Senate Bill No. 371.
 Fiscal biennium, for salaries of state officials and employees, expenses of state institutions, departments, etc., during, House Bill No. 450.
 Fish traps and pound net locations, expenses for establishment of, Senate Bill No. 429.
 Fishing Resources Survey Commission, expenses of, Senate Bill No. 452.
 Flood control maintenance, for state participation in, Senate Bill No. 344.
 Food processing plants, establishment of buildings, Senate Bill No. 175.
 From Fisheries Fund, for relief of certain individuals, firms, and corporations, Senate Bill No. 433.
 From game fund, for relief of certain individuals, firms and corporations, Senate Bill No. 433.
 From highway safety fund, for certain individuals, firms and corporations, Senate Bill No. 433.
 From reclamation revolving fund, for clerk of Thurston County, Senate Bill No. 433.
 Fund for paroled or released persons of state Penitentiary or Reformatory, Senate Bill No. 3.
 Governor, for maintenance of office of, Senate Bill No. 433.
 Grand Coulee, for maintenance, repair and improvements to streets, Senate Bill No. 269.
 Grand Coulee highway investigation, expenses of, Senate Bill No. 488.
 Grays Harbor County, for, Senate Bill No. 433.
 Great Northern Railway Company, for payment of judgment to, Senate Bill No. 433.
 Great Northern Railway Co., from public service revolving fund, for payment to, Senate Bill No. 433.
 Gwin, White & Prince, Inc., for payment of judgment to, Senate Bill No. 433.
 Harbor lines, relocation and reestablishment of inner and outer, in front of Pt. Townsend, House Bill No. 92.
 Highway testing laboratory site and equipment, from motor vehicle fund, Senate Bill No. 391.
 Honor camps, \$25,000 to establish, for state prisoners, House Bill No. 242.
 Hyden, Darwin, for relief of, Senate Bill No. 30.
 Industrial insurance expenses to be paid from accident fund, Senate Bill No. 334.
 Investigation of hospitals, medical bureaus, Senate Bill No. 311.
 Investigation of Social Security Department by joint legislative committee, \$5,000.00, House Joint Resolution No. 4.
 Isaac Ingalls Stevens, statue to be placed in capitol, Washington, D. C., Senate Bill No. 316.
 Island County, for, Senate Bill No. 433.
 Junior college districts and school districts operating experimental educational program, \$100,000.00 for, House Bill No. 283.
 Keystone Harbor to Crocket Lake, dredging of, and constructing a rock break-water, Senate Joint Memorial No. 12.
 Kittitas County, for, Senate Bill No. 433.
 Klickitat County, for, Senate Bill No. 433.
 Klobucher, Mark Edward, for relief of, Senate Bill No. 377.
 Ladies of the Grand Army Home, for, Senate Bill No. 433.
 Latmer, Frank, for payment of judgment to, through H. V. Jackson, administrator, Senate Bill No. 433.
 Lefevre, J. L., for payment of judgment to, Senate Bill No. 433.
 Legislative Council, investigation of state departments, Senate Bill No. 324.
 Legislative printing, \$15,000.00, Senate Bill No. 2.
 Legislative Reference and Drafting Bureau, establishment of, Senate Bill No. 331.

Appropriations—Continued:

- Legislative expenses of twenty-sixth session, Senate Bill No. 400.
McKay Memorial Research Hospital, establishment of, at Soap Lake, Washington, Senate Bill No. 114.
Milk Control Board, expenses of, Senate Bill No. 353.
Milk product production and distribution investigation, Senate Bill No. 449.
Mine to market roads, \$100,000.00 for construction of, House Bill No. 192.
Miners Examining Board, administrative expenses, Senate Bill No. 28.
Motor vehicle fund, for maintenance and construction of highways, Senate Bill No. 485.
Motor vehicle fund, for maintenance and construction of primary state highways, Senate Bill No. 474.
Motor vehicle fund reappropriation, for maintenance and construction of primary state highways, Senate Bill No. 396.
Motor vehicle fund for Department of Highways, administration of federal funds, Senate Bill No. 392.
Motor vehicle fund, for the relief of certain individuals, firms and corporations, Senate Bill No. 433.
Motor vehicle license fund, administration of, and for payments, Senate Bill No. 117.
Munson Hall and Sue Lombard Hall, to be purchased by the state, Senate Bill No. 127.
Naval and Marine Corps Reserve Armory at Seattle, establishment of, Senate Bill No. 350.
Northern Pacific Railway Co., from public service revolving fund, for payment of judgment to, Senate Bill No. 433.
Oil and gas conservation law, administration of, Senate Bill No. 169.
Okanogan County, for, Senate Bill No. 433.
Old capitol building, authorizing state Capitol Committee to make repairs on, House Bill No. 20.
Olympia, for local improvement districts of, Senate Bill No. 433.
Oregon, Washington Railroad and Navigation Co., from public service revolving fund, for payment of judgment to, Senate Bill No. 433.
Pacific N. W. Centennial Exposition, to be held in Seattle in 1942, \$2,000,000.00 for, House Bill No. 156.
Pacific Telephone and Telegraph Co., for payment of judgment to, Senate Bill No. 433.
Parks and parkway fund, for the relief of certain individuals, firms and corporations, Senate Bill No. 433.
Payments to workmen or beneficiaries, for disability or death, while engaged in extrahazardous employment, Senate Bill No. 100.
Pend Oreille County, for, Senate Bill No. 433.
Petroleum Navigation Co., for payment of judgment to, Senate Bill No. 433.
Plumbers' examination, expenses for, Senate Bill No. 416.
Police pension, to come from the general fund, Senate Bill No. 203.
Port of Port Angeles, for payment of judgment to, Senate Bill No. 433.
Prisoner's compensation on sale of institutional made merchandise to state, Senate Bill No. 29.
Public assistance, funds for, Senate Bill No. 427.
Public defender, \$8,000.00 for expenses of office of, House Bill No. 566.
Puget Mill Company, for relief of, Senate Bill No. 437.
Rabies and sleeping sickness, \$30,000.00 to eradicate, among dogs and horses respectively, House Bill No. 277.
Real estate brokers fund, establishment of, Senate Bill No. 290.
Reserve library room, University of Washington extension students, Senate Bill No. 430.
Seattle, for local improvement districts of, Senate Bill No. 433.
Secondary state highways, maintenance, construction, operation, etc., Senate Bill No. 394.
Session Laws of 26th session, \$3,500 for temporary publication of, House Bill No. 119.
Sheard, Wm. F., for payment of judgment to, through Bank of California, Senate Bill No. 433.
Sheriffs civil service regulations, fund for, Senate Bill No. 294.
Shil Shole Bay, Seattle, asking Congress for \$700,000.00 to construct breakwater in, House Joint Memorial No. 4.

Appropriations—Continued:

- Skagit County, for, Senate Bill No. 433.
- Social security and common schools, given priority over other appropriations, Senate Bill No. 470.
- Social security, for public assistance to counties, Senate Bill No. 444.
- Spokane, for local improvement districts of, Senate Bill No. 433.
- Squier, Paul, for relief of, Senate Bill No. 30.
- State department, to be approved by Governor, Senate Bill No. 423.
- State fire revolving fund, initial reserve, of \$100,000.00, Senate Bill No. 123.
- State Institute of Child Development Research and Service, carrying on work of, Senate Bill No. 297.
- State Library, for, Senate Bill No. 433.
- State Parks Committee, for, Senate Bill No. 433.
- State school equalization fund, of \$1,400,000.00 for, Senate Bill No. 433.
- State school equalization fund, of \$1,400,000.00, Senate Bill No. 155.
- State school fund of \$3,600,000.00, Senate Bill No. 156.
- State school relief fund, to pay minimum teachers' salaries and maintain adequate school terms, Senate Bill No. 284.
- State school relief fund, \$850,000.00 to, from current state school fund, House Bill No. 346.
- State Soldier's Home, for medical attendance, rations and clothing, Senate Bill No. 120.
- State vocational fund, administration of, Senate Bill No. 4.
- State-wide first aid meets, \$3,000.00 from medical aid fund, to stage, House Bill No. 224.
- Superior court, for retirement of judges of, Senate Bill No. 433.
- Supreme court, for retirement of judges of, Senate Bill No. 433.
- Teachers' retirement pensions to be paid from funds appropriated by legislature, Senate Bill No. 188.
- Teachers' tenure revolving fund, payment of expenses, Senate Bill No. 121.
- Teachers' tenure revolving fund, \$3,000.00 from current state school fund to, House Bill No. 121.
- Telander Construction Company, from motor vehicle fund, for payment of judgment to, Senate Bill No. 433.
- Telephone utilities, \$300,000.00 for investigation of, by Department of Public Service, House Bill No. 524.
- Thompson Securities Company, for payment of costs in judgment to Acme Finance Company, Senate Bill No. 433.
- Thurston County bonds, retirement of \$210,000.00, Senate Bill No. 57.
- Thurston County, for, Senate Bill No. 433.
- Unemployment compensation, of \$200,000.00 for purpose of cooperating with United States Employment Service, Senate Bill No. 219.
- University of Washington, Associated Students, for payment of judgment to, Senate Bill No. 433.
- University of Washington fund for an approach to campus, Senate Bill No. 26.
- Wages and salaries of state officers, Senate Bill No. 433.
- Wahkiakum County, for, Senate Bill No. 433.
- Washington food, drug and cosmetic act, \$50,000.00 for, Senate Bill No. 315.
- Washington state patrol communication system, establishment and maintenance, Senate Bill No. 337.
- Washington State Patrol investigation, Senate Joint Resolution No. 2.
- Washington state poultry congress committee, expenses of, Senate Bill No. 384.
- Western Washington College of Education, for, Senate Bill No. 433.
- Weyerhaeuser Timber Company, for payment of judgment to, Senate Bill No. 433.
- White Pass highway, completion of, Senate Bill No. 475.
- Williams, Morris, for payment of judgment to, Senate Bill No. 433.
- Witness giving testimony for Department of Agriculture, to receive compensation, Senate Bill No. 224.
- Works Progress Administration, \$875,000.00 for continuation of, Senate Joint Memorial No. 5.
- World war veterans, \$5,000.00 for rehabilitation of disabled, House Bill No. 25.
- Yakima County, for, Senate Bill No. 433.
- Zindorff, Edward L., and Cedric, for relief of, Senate Bill No. 463.

Architecture:

License for the practicing of, Senate Bill No. 160.

Armistice Day:

Schools to have holiday on, House Bill No. 101.

Armory:

Naval and Marine Corps Reserve, establishment in Seattle, Senate Bill No. 350.

Olympia, proceeds from sale of certain property, to be used for beautification of new armory, House Bill No. 415.

Army:

Children of soldiers killed during world war to have educational opportunities, House Bill No. 78.

City employees' pensions, time served in, not to be deducted from time applied on pensions, House Bill No. 90.

Puget Sound area, rehabilitation of Puget Sound, Senate Joint Memorial No. 9.

Regiment of national guard anti-aircraft artillery to be allotted this state, Senate Joint Memorial No. 8.

State, county and city employees, who are members of, entitled to military leave plus regular vacation, Senate Bill No. 422.

World war veterans, providing appropriation for rehabilitation of, House Bill No. 25.

Wrestling and boxing matches, exempt from securing of license, Senate Bill No. 259.

Arrest:

Fresh pursuit, given peace officer of other states right to pursue and arrest criminals in this state, House Bill No. 244.

Witnesses, out-of-state, compelled to attend trial exempt from, House Bill No. 243.

Assessments:

Appraisalment of property for, method of, Senate Bill No. 56.

Appraisalment of real and personal property for, Senate Bill No. 102.

Butter fat, assessment of, in milk and cream, House Bill No. 189.

Cancellation or reduction of, on property erroneously assessed, House Bill No. 103.

Certified budget, making and filing of, with clerk of board of county commissioners, House Bill No. 131.

Designation of taxes and assessments, Senate Bill No. 10.

Diking, drainage, or sewerage improvement districts, assessment of lands acquired by foreclosure and sold under contract, House Bill No. 120.

Equalization of, on property, made by board of tax appeals, Senate Bill No. 340.

Gross income tax, Senate Bill No. 192.

Improvements, authorizing segregation and separate payment of tax on those owned separately, House Bill No. 521.

Irrigation districts, duties concerning sales of land for delinquent district assessments, House Bill No. 126.

Land in vicinity of Columbia basin, to be regulated, Senate Bill No. 126.

Livestock moved from one county to another, assessments to be prorated, House Bill No. 80.

Local improvements and foreclosure of general tax liens, Senate Bill No. 472.

Personal property, cancelling assessments on certain, shipped from state, House Bill No. 263.

Personal property to be assessed annually on monthly average basis, House Bill No. 175.

Atkinson, Senator N. P.:

Explanation of, regarding Senate Bill No. 168 Page 547

Protest of, on passage of Substitute Senate Bill No. 47 Page 130

Resolution by, regarding shipment of war materials to Japan Page 475

Attorney General:

Assistant, to be assigned to division of municipal corporations, Senate Bill No. 252.

Bonds of police, peace officers, charged with making arrests, to be approved by, Senate Bill No. 250.

Control of the Washington State Patrol, Senate Joint Resolution No. 2.

Attorney General—Continued:

- Department of Labor and Industries, act as legal adviser for, in all appeals, Senate Bill No. 180.
- Disability retirement system study for Washington State Patrol, assistance to be given by, Senate Bill No. 333.
- Exercise certain duties of the prosecuting attorneys under certain circumstances, Senate Bill No. 84.
- Governor's committee on interstate cooperation, one member to be the, Senate Bill No. 204.
- Income tax, failure to comply with, proceedings to be brought by, Senate Bill No. 192.
- Legislative reference and drafting bureau, member of advisory committee to be, Senate Bill No. 331.
- Oil and gas conservation law, attorney to be the, Senate Bill No. 169.
- Select all legal advisors of the state, and under supervision of, Senate Bill No. 85.
- Social Security Department, one member to come from office of, Senate Bill No. 444.
- State tenure commission, one member appointed by, Senate Bill No. 121.

Attorneys:

- Examiner of land titles, to be appointed by county commissioners, Senate Bill No. 179.
- Industrial insurance claim files to be available to claimant's attorney, Senate Bill No. 297.
- Legal aid bureau, active member of bar association to render service without compensation, House Bill No. 30.
- Member of legislature for six years or President of state senate eligible to take examination for admission to bar, Senate Bill No. 357.
- Office of, in cities of the third-class, period of four years, Senate Bill No. 215.
- Personal property, exemptions of, from execution and attachment, Senate Bill No. 170.
- State department, selected and to serve under the Attorney General, Senate Bill No. 85.

Aubrey L. White Parkway:

- Riverside State Park, naming existing road in, House Bill No. 235.

Auctions:

- Personal property sold at public auction in first and second-class cities, disposition of revenue from, House Bill No. 314.

Audits:

- Funds of all state departments to be transmitted to State Treasurer within seven days after receipt, Senate Bill No. 424.
- State department, now under division of budget transferred to Governor, Senate Bill No. 423.

Auto Mechanics:

- Qualifications necessary to secure license as an, Senate Bill No. 182.

Auto Mechanics' Licensing Act:

- Auto mechanics, qualifications and examinations to come under, Senate Bill No. 182.

Automobile Dealers:

- Motor block, removal of, from vehicle; dealer to furnish director of licenses with certain information, House Bill No. 473.

Aviation:

- Metropolitan park districts, contracting indebtedness for landing fields limited to 3/20 of 1% of taxable property, House Bill No. 134.

Ayer, Ellis C:

- Appropriation for payment of judgment to, Senate Bill No. 433.

Ball:

- Surety, bail bonds executed for consideration must be cash bail or surety bond, House Bill No. 389.

Bailiffs:

- Compensation of, in superior courts, House Bill No. 94.

Bainbridge Island:

Primary state highway No. 21, from Hood Canal to, Senate Bill No. 296.

Bakeries:

Inspection of, periodically by bakery inspector, Senate Bill No. 50.

Bakery Inspector:

Prohibit appointment of, if in the bakery business or association, Senate Bill No. 50.

Ball:

Legislators to give return ball, House Concurrent Resolution No. 6.

Ballots:

Agricultural prorated marketing zones, determination by, Senate Bill No. 336.

Name not to be printed on, unless amended declaration has first been filed, Senate Bill No. 55.

Preparation of, Senate Bill No. 14.

Public utility district ownership of, to be determined by, Senate Bill No. 341.

Regulating the recount of, recanvass of votes registered on machines, Senate Bill No. 238.

Soil conservation districts, electors to determine establishment of by, Senate Bill No. 343.

Band, 146th Field Artillery:

Washington National Guard, on program of Golden Jubilee session....Pages 327, 335

Bang's Disease:

Livestock, indemnities for slaughtering diseased, House Bill No. 132.

Bank Deposits:

Appraisalment of estates consisting only of money or, dispensed with, House Bill No. 267.

Joint accounts, rights of either depositor, Senate Bill No. 342.

Pledge of, to secure deposits of funds, Senate Bill No. 379.

Banks:

Corporation may invest funds in, insured by the Federal Deposit Insurance Corporation, Senate Bill No. 223.

Deposit interest fund, appropriation from, to charge off "deposits in closed banks" item, House Bill No. 298.

Funds, unlawful to invest in obligations of national mortgage associations or in debentures issued by the Federal Housing Administration, Senate Bill No. 141.

Gross income, definition of for purposes of excise tax, Senate Bill No. 192.

Joint deposits, payment to be made to either, Senate Bill No. 342.

Mutual savings, regulation of investments, Senate Bill No. 142.

Pledge assets to secure deposits of funds, Senate Bill No. 379.

Savings and loan associations, conversion of Federal into State, House Bill No. 188.

Small loan license act, not applicable to, Senate Bill No. 213.

State depositaries to pledge payment on demand or at specified future date, House Bill No. 299.

Stockholders, limiting liability of, in, Senate Joint Resolution No. 8.

Stop-payment order, renewal or confirmation, method to be used by, Senate Bill No. 105.

Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.

Writ of garnishment, method of serving to, Senate Bill No. 104.

Barbers:

Shops closed on Sunday, Senate Bill No. 229.

Barchus, Agnes:

Acknowledgment of services of, as Senate employee.....Page 718

Bassett, J. D.:

Eulogy by Senator Holt, at memorial services.....Page 225

Bates, Jack E.:

- Appointment of, by Governor, as commissioner of Unemployment Compensation and PlacementPage 424
- Confirmation of appointment of.....Pages 458, 512

Bates, Mrs. Kate Stevens:

- Introduced at Golden Jubilee session.....Page 328

Beals, Walter J.:

- On program for memorial services.....Page 224

Beano:

- Lawful operation of, licensing of, Senate Bill No. 237.

Beer (see Liquor).**Bees:**

- Honey, regulating sale and marketing of, House Bill No. 227.

Belfair:

- Scenic highway from, to Port Gamble, survey to be made by Department of Highways, Senate Bill No. 404.

Beneficiaries:

- Compensation for dependents of those dying from occupational disease, House Bill No. 100.
- Compensation for, of workmen killed while engaged in extrahazardous employment, Senate Bill No. 100.
- Life insurance payments, exempting from debt collection, House Bill No. 348.
- Life insurance policies, rights of the, Senate Bill No. 245.

Benefit Societies:

- Fraternal benefit societies, admitting to beneficiary membership certain persons without medical examination, House Bill No. 368.

Benton County:

- Appropriation for, Senate Bill No. 433.

Billboards:

- Advertising on, in highway protective areas, prohibited, Senate Bill No. 370.
- Advertising on, regulations and fees for, Senate Bill No. 221.

Bills, Senate:

- Mailing lists, senators to be allowed two sets for, resolution regarding.....Page 55

Birds:

- Additional open and closed hunting season, Senate Bill No. 278.
- American eagle, hunting or killing of, prohibited, Senate Bill No. 381.
- Cold storage of, regulations to be observed, Senate Bill No. 363.
- Foreign game, registration of same with state game commission, Senate Bill No. 365.
- Hunting of, by parties of two or more, regulations to be observed, Senate Bill No. 364.

Birth Certificates:

- Adopted and illegitimate children, House Bill No. 71.

Blasting:

- Notice of 48 hours to be given residents in settled communities, prior to, Senate Bill No. 195.
- Powder for, to be controlled by state, Senate Bill No. 196.

Blind:

- Assistants in each county, for investigations of applications of the, Senate Bill No. 153.
- Home industries revolving fund established for, Senate Bill No. 228.
- Medical aid, earphones, etc., to be given to, Senate Bill No. 187.
- Medical, surgical, hospital care and nursing given to the, Senate Bill No. 153.
- Traffic, regulating, on public streets and highways, limiting use of white canes, House Bill No. 43.

- Bloomer, Senator T. C.:**
 Appointment on legislative ball committee.....Page 346
 Appointment as vice-chairman of roads and bridges committee.....Page 49
- Blyn:**
 To Seattle, proposed highway via Discovery Bay, letter of transmittal of surveys by Department of Highways.....Page 112
- Board of Adjustment:**
 Soil conservation committee to appoint members of, Senate Bill No. 343.
- Board of Auto Mechanics' Examiners:**
 Auto mechanics, powers of, relative to examination of applicants, Senate Bill No. 182.
- Board of Budget Review:**
 Established in counties of first and second class, for making and controlling estimates, levies and expenditures, Senate Bill No. 90.
- Board of Health:**
 Administer duties of the state board for vocational education, Senate Bill No. 76.
- Board of Prison Terms and Paroles:**
 Appointment of members of, by Governor.....Page 424
 Appropriation for, Senate Bill No. 433.
 Confirmation of appointment of members of.....Page 458
 Determine persons eligible to be transferred to State Vocational School, Senate Bill No. 4.
 Establish fund for paroled or released persons of State Penitentiary or Reformatory, Senate Bill No. 3.
 Probations, granting and regulating by, Senate Bill No. 254.
 Release of prisoners from Penitentiary and Reformatory, House Bill No. 240.
 Trusty camps, certain prisoners to be sent to, House Bill No. 242.
- Board of Regents:**
 Campus approach, University of Washington, authority to acquire land, Senate Bill No. 26.
 Gifts from private sources for University, authorizing acceptance of, by Board; disposition of, House Bill No. 204.
 Washington State College, appointment of members of.....Page 424
 Washington State College, confirmation of appointments of members of.....
Pages 456, 510-11
- Board of Sewer Commissioners:**
 Appointment and duties of, Senate Bill No. 305.
- Board of Tax Appeals:**
 Equalization of assessment of property to be made by, Senate Bill No. 340.
- Board of Trustees of Western Washington College of Education:**
 Appointment of members of.....Page 424
 Confirmation of appointment of members of.....Pages 457, 511-12
- Boilers:**
 Establishing office of boiler inspector in connection with department of labor and industries, House Bill No. 138.
- Bonds:**
 Action to test validity of those issued by counties, cities, school or taxing districts, House Bill No. 426.
 Administrators, guardians, executors and trustees, providing for reduction or substitution of bonds, House Bill No. 47.
 Bail bonds executed for consideration must be cash bail or surety bond, House Bill No. 389.
 Boiler inspectors required to execute, House Bill No. 138.
 Collection agencies, providing bond for operation of, House Bill No. 70.
 Commission merchant selling agricultural products required to file, Senate Bill No. 135.

Bonds—Continued:

- County auditor to furnish, covering collection of motor vehicle fees, Senate Bill No. 124.
- County or city-issued, not requiring ordinance to appear thereon authorizing issuance of, House Bill No. 379.
- Dog racing commissioners to furnish surety, Senate Bill No. 339.
- Furnishing of, by firms engaged in games of skill and chance, Senate Bill No. 237.
- Inheritance tax, coordinating law relating to, House Bill No. 425.
- Irrigation districts, limiting time to bring action to enforce certain rights and claims of those owned by U. S., House Bill No. 286.
- Issuance of, by municipalities to construct or improve certain revenue producing undertakings, Senate Bill No. 286.
- Letters testamentary, issuance of, or of administration without bond in some instances, House Bill No. 10.
- Municipally-owned street railway, authorizing certain cities to borrow from reconstruction finance corporation for, House Bill No. 323.
- Painting contractors required to furnish, House Bill No. 223.
- Performance and payment, to be furnished by contractor on public works projects, Senate Bill No. 351.
- Petroleum product companies to file, with department of licenses, Senate Bill No. 227.
- Police, peace officers and public officials, charged with making arrests, to furnish, Senate Bill No. 250.
- Pound net appliance to file, Senate Bill No. 295.
- Public Utility District commissioners, issuance of, by, Senate Bill No. 200.
- Purchase and disposition of certain delinquent, and warrants, Senate Bill No. 157.
- Savings and loan associations, specifying type of bond for federal associations converted to state, House Bill No. 188.
- Sewer, issuance of by board of sewer commissioners, Senate Bill No. 305.
- Sewer system, issuance of, for construction or acquiring, Senate Bill No. 306.
- Shipyards, purchase of, by port districts having population of 300,000; issuance of, Senate Bill No. 261.
- Signatures on interest coupons of those issued by counties, cities and school districts, House Bill No. 365.
- Washington state poultry congress committee, executive commissioner to furnish, Senate Bill No. 384.
- Washington Toll Bridge Authority empowered to issue, for acquisition of any ferry or ferry services, Senate Bill No. 253.
- Washington Utility District authority, issuance of, Senate Bill No. 199.

Bonney, W. P.:

- Introduced at Golden Jubilee Session..... Page 328

Botanical Garden:

- Lands deeded to University of Washington, for purposes of a, Senate Bill No. 197.

Bothell:

- Highway between, and Monroe, estimate of cost to be made, Senate Bill No. 202.

Bottolfson, C. A.:

- Governor of Idaho, message from read at Golden Jubilee Session..... Page 330

Boundaries:

- School district, changing of, under reorganization system, Senate Bill No. 335.

Bounties:

- Coyotes, payment of \$5.00 for killing adult, House Bill No. 181.

Boxing:

- Civilian Conservation Corps, army, exempt from securing of license for exhibition of, Senate Bill No. 259.

Brands:

- Fur bearing animals to be stamped with, Senate Bill No. 243.
- Livestock, marking and inspection of, House Bill No. 208.
- Macaroni products, regulations to be observed, Senate Bill No. 408.
- Uniform food, drug and cosmetic act, use of, Senate Bill No. 315.

Branigin, Verne:

- Appointment of, to board of trustees of Western Washington College of Education Page 424
- Confirmation of appointment of.....Pages 457, 511-12

Bridges:

- Appropriation to complete bridge across Columbia Slough from Puget island to Cathlamet, House Bill No. 406.
- Inclusion of, to come under primary state highway system, determined by Department of Highways, Senate Bill No. 218.
- Movable span bridges, counties to continue to maintain those located within cities, Substitute House Bill No. 392.

Broadcasting:

- Radio, rights from dog races, receipts to go to old age assistance fund, Senate Bill No. 339.

Brokers:

- Real estate, licensing of, Senate Bill No. 290.

Bronson, Philip:

- Appropriation for payment of judgment to, Senate Bill No. 433.

Brown, Ed:

- Adjournment of Senate in honor of.....Page 7
- Eulogy by Senator Edwards.....Page 225

Brown, Harry H.:

- Adjournment of Senate in honor of.....Page 7
- Eulogy by Senator Malstrom.....Page 225

Budget, Governor's:

- For 1939-41, transmittal to Senate.....Page 43

Budget Bill, Governor's:

- Transmittal to Senate.....Page 44
- Letter from governor regarding.....Page 506

Buergers' Disease:

- Establishment of McKay Memorial Research Hospital for persons afflicted with, Senate Bill No. 114.

Building Associations:

- Not insolvent if able to pay general creditors in full, Senate Bill No. 58.

Buildings:

- Liquor, buildings where liquor is illegally disposed of declared common nuisance, House Bill No. 172.
- Munson Hall and Sue Lombard Hall, purchased by state, Senate Bill No. 127.
- Old capitol building, authorizing State Capitol Committee to make repairs on, House Bill No. 20.
- Renting of commercial space in, on land owned by the state, gross income tax of 3%, Senate Bill No. 471.
- State lands, exchange of, with Stevens county for new forestry building, House Bill No. 287.
- Tax, authorizing segregation and separate payment of tax on those owned separately, House Bill No. 521.

Bureau of Mines:

- Rescue apparatus to be approved by U. S., Senate Bill No. 244.

Burlington:

Road from, through North Avon to vicinity west of North Avon, Senate Bill No. 283.

Bus Drivers:

Hours of, limited to a 10 hour shift, Senate Bill No. 212.

Butter:

Assessment of butter fat in milk and cream, House Bill No. 189.

Excise tax of 10¢ per pound on butter substitutes, Senate Bill No. 417.

Products to be regulated by milk control board, Senate Bill No. 353.

- Butter Substitute Excise Act of 1939:

Taxation on butter substitutes, rules and regulations to be governed by Department of Agriculture, Senate Bill No. 417.

Buttermilk:

Products to be regulated by milk control board, Senate Bill No. 353.

Calendar:

Daily, of senate, motions regarding time of distribution of.....Pages 82, 90

Camano Island:

Secondary state highway from Stanwood to, Senate Bill No. 189.

Canada:

Red cedar shingle industry, asking president for hearing because of loss of trade due to trade agreements with, House Joint Memorial No. 8.

Cannon, Jack:

Introduced at Golden Jubilee Session.....Page 328

Canes:

Blind persons only to use white, House Bill No. 43.

Candy:

Confectionery's permit for manufacture or sale of, regulations to be observed, Senate Bill No. 409.

Canneries:

Business of, allowed to keep open on Sundays, Senate Bill No. 229.

Capital Punishment:

Abolishment of, and the death penalty, Senate Bill No. 216.

Carlisle Lumber Company:

Appropriation for payment of judgment to, Senate Bill No. 433.

Cascade Mountains:

Game commission, one member to be farm owner from east of, one to come from west of, House Bill No. 86.

Tunnel survey of, to be made by Cascade Tunnel Commission, Senate Bill No. 380.

Cascade Tunnel Commission:

Tunnel through Cascade mountains, survey to be made by, Senate Bill No. 380.

Cathlamet:

Bridge, completion of, across Columbia Slough from Puget Island to Cathlamet, House Bill No. 406.

Cedar Shingle Industry:

Resolution regardingPage 421

Cemeteries:

Billboard advertising near, regulations for, Senate Bill No. 221.

Fairmont Cemetery Association, conveyance of certain state lands in Spokane county to, House Bill No. 109.

Forfeit or sale of uncared-for or abandoned sections in, Senate Bill No. 346.

Cemetery Maintenance District Law:

Authorizing of, providing a procedure for establishment and government of, Senate Bill No. 134.

Centralia:

Appropriation for local improvement district of, Senate Bill No. 433.

Central Washington College of Education:

Appropriation for, Senate Bill No. 433.

Munson Hall and Sue Lombard Hall, purchased by state for use of, Senate Bill No. 127.

Teachers of, retirement system to apply to, Senate Bill No. 188.

Certificates:

Furnishing of, by the manufacturer of the merchandise, Senate Bill No. 43.

Logging, chemical, mining and metallurgical engineering, those practicing, required to have, from Department of Licenses, Substitute House Bill No. 316.

Motor vehicles, unlawful for firm transferring or disposing of, to fail to deliver valid certificate of ownership, House Bill No. 473.

Shares of stock, making uniform law regulating transfer, indorsement and delivery of, House Bill No. 372.

Certification:

Of session laws, resolution regarding.....Page 807

Certified Budgets:

Filing of, with clerk of board of county commissioners, House Bill No. 131.

Charitable Organizations:

Inheritance tax, exemption of, on certain bequests for charitable purposes which pass out of state to certain societies, House Bill No. 425.

Chattel Mortgages:

Industrial loan companies not to make loans secured by, for more than three years, House Bill No. 148.

Motor vehicles, licensing business of making loans on; limiting rate of interest, House Bill No. 96.

Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.

Cheese:

Products to be regulated by milk control board, Senate Bill No. 353.

Chelan County:

County engineer of, to be member of Cascade Tunnel Commission, Senate Bill No. 380.

Chief Boiler Inspector:

Director of Labor and Industries to appoint, with Governor's approval, House Bill No. 138.

Children (see Minors).**Chimacum:**

Four Corners to, establishment of primary state highway, Senate Bill No. 479.

Chiropractic:

Washington State Chiropractors Association, establishment of, Senate Bill No. 322.

Choses in Action:

Advertising for or soliciting of, for purpose of collection or settlement of suit by, prohibited, Senate Bill No. 314.

Assignment and settlement out of court, Senate Bill No. 315.

Christie, Rev. Elmer:

On program for memorial services.....Page 224

Churches:

- Billboard advertising near, regulations for, Senate Bill No. 221.
- Games of skill and chance not to be conducted within 800 feet of, Senate Bill No. 237.

Cigarettes:

- Automatic vending machines for, prohibited, Senate Bill No. 222.
- Taxation on, increased to two cents per package, Senate Bill No. 113.
- Taxation on, one-tenth of one cent for each, Senate Bill No. 260.

Cities:

- Auditor to file monthly financial statement with state auditor, Senate Bill No. 251.
- Bonds, issuance of, by public utility districts, Senate Bill No. 200.
- Bonds issued by, not requiring ordinance to appear thereon authorizing their issuance, House Bill No. 379.
- Bonds issued by, to construct or improve certain revenue producing undertakings, Senate Bill No. 286.
- Bonds, providing for action to test validity of those issued by, House Bill No. 426.
- Boundaries, setting date for establishing, for levy of property taxes, House Bill No. 163.
- Certified budget, making and filing of, with clerk of board of county commissioners, House Bill No. 131.
- Charters, amendment or revision of, House Bill No. 44.
- Code, compilation of, containing all constitutional provisions and state statutes relating to third and fourth class, House Bill No. 113.
- Contribute money and materials, toward expense of establishing a ferry or ferry service, Senate Bill No. 253.
- Elections (city), consolidation of precincts in third and fourth-class cities, House Bill No. 111.
- Electricity sold by, to be regulated by Department of Public Service, Senate Bill No. 256.
- Fire protection districts, creation of, outside of cities, House Bill No. 81.
- Firemen, full-paid and volunteer members of department to come under firemen's relief and pension fund, House Bill No. 35.
- Flood control districts established in various, Senate Bill No. 344.
- Grand Coulee, repairs to streets, Senate Bill No. 269.
- Industrial loan companies, putting capital stock qualifications on, according to size of cities, House Bill No. 148.
- Justice of peace to be appointed police judge in first-class; to preside over municipal court, House Bill No. 217.
- Justice of the peace, cities with commission form of government to appoint, as police court judge, House Bill No. 171.
- Liquor, reallocation of profit from sales of, to, House Bill No. 260.
- Motor vehicle fund, designating what funds may be used for; requiring counties to maintain movable span bridges within cities, Substitute House Bill No. 392.
- Municipally-owned street railway, authorizing certain cities to borrow from reconstruction finance corporation, for, House Bill No. 323.
- Parking motor vehicles on primary state highways within, House Bill No. 123.
- Pensions for superannuated or disabled employees of first-class, House Bill No. 90.
- Personal property sold at public auction in first and second-class, owner trying to reclaim, to receive money with interest, House Bill No. 314.
- Police communication teletypewriter system, available to, Senate Bill No. 338.
- Police pensions, to come from the general fund, Senate Bill No. 203.
- Police matrons, appointment of, House Bill No. 369.
- Public utilities, disposition of surplus earnings of, in fourth-class, House Bill No. 152.
- Public utility districts, ownership of in certain, Senate Bill No. 341.
- Public utility districts to pay 5% of gross income to, Senate Bill No. 199.
- Purchasing agents to buy goods grown or manufactured in the state, Senate Bill No. 208.
- Regional planning by, Senate Bill No. 162.
- Reimbursement from motor vehicle fund to, Senate Bill No. 485.
- Sewerage system, authorizing connections with, from property located outside city limits, House Bill No. 117.

Cities—Continued:

- Sewer systems, establishment of by incorporated, Senate Bill No. 482.
- Sewer districts established in certain, Senate Bill No. 305.
- Sewer systems, construction of by, Senate Bill No. 306.
- Signatures on interest coupons of bonds issued by, House Bill No. 365.
- Traffic devices to be installed on highways in incorporated, Senate Bill No. 420.
- Waterworks system operated by, furnishing to outside its limits, regulations to be observed, Senate Bill No. 274.

Cities of the First Class:

- Constable, office of, abolished in, Senate Bill No. 318.
- Gambling licenses to be issued in, with certain regulations, Senate Bill No. 152.
- Horse races, licensed persons to accept bets on races held outside the state, Senate Bill No. 149.
- Justice of the peace to be appointed police judge in; to preside over municipal court, House Bill No. 217.
- Municipally-owned street railway, authorizing cities to borrow from reconstruction finance corporation for, House Bill No. 323.
- Pensions for superannuated or disabled employees, House Bill No. 90.
- Personal property sold at public auction; owner trying to reclaim, to receive money with interest, House Bill No. 314.
- Police judge, election of, Senate Bill No. 81.
- Salary fund, authorizing establishment of, House Bill No. 458.
- Sheriffs, duties of, in respect to maintaining public peace, Senate Bill No. 144.
- State lands for municipal park and play-ground purposes, conveyance of, Senate Bill No. 23.

Cities of the Second Class:

- Horse races, licensed persons to accept bets on races held outside the state, Senate Bill No. 149.
- Personal property sold at public auction; owner trying to reclaim, to receive money with interest, House Bill No. 314.
- Police court judge's appointment, in commission form of government, Senate Bill No. 34.
- Salaries of its officers, Senate Bill No. 65.

Cities of the Third Class:

- Code, compilation of, containing all constitutional provisions and state statutes relating to, House Bill No. 113.
- Elections, consolidation of precincts for city elections, House Bill No. 111.
- Mayor and city councilmen to be reimbursed for official expenses, Senate Bill No. 150.
- Mayor, attorney, clerk and treasurers' offices in, period of four years, Senate Bill No. 215.

Cities of the Fourth Class:

- Code, compilation of, containing all constitutional provisions and state statutes relating to, House Bill No. 113.
- Elections, consolidation of precincts for city elections, House Bill No. 111.
- Fishing fleet base and docks, ice and cold storage plants, construction and maintenance of, Senate Bill No. 383.
- Mayor and city councilmen to be reimbursed for official expenses, Senate Bill No. 150.
- Public utilities, disposition of surplus earnings of, House Bill No. 152.

Citrus Fruits:

- Agricultural prorated marketing zones for, Senate Bill No. 336.

City Charters:

- Amendment or revision of, House Bill No. 44.

City Clerk:

- Elections, to be registrar for voters in city precincts, House Bill No. 33.

City Comptroller:

Report of all cash and securities in possession, to credit of city, to state auditor, Senate Bill No. 251.

City Council:

Municipally-owned street railway, borrowing from reconstruction finance corporation for, duties of council relating to, House Bill No. 323.

City Current Expense Fund:

Personal property sold at public auction in first and second class cities to be deposited in, if police pension fund does not exist, House Bill No. 314.

City Employees:

Motor vehicles or other property owned by city to be used only for official business, House Bill No. 64.

Pensions for superannuated or disabled, of first-class cities, House Bill No. 90.

City Officers:

Clerk, to be registrar for voters in city precincts, House Bill No. 33.

Hours of opening and closing, Senate Bill No. 64.

Office hours from 9 a. m. to 5 p. m., Senate Bill No. 59.

Pensions for employees of first-class cities, House Bill No. 90.

Police matrons, appointment of, House Bill No. 369.

City Street:

Motor vehicle fund, designating amounts to be used for maintenance and construction of, Substitute House Bill No. 392.

Civil Liberties Bill: (S. B. No. 168)

Explanation of Senator Atkinson regarding vote to bring from Rules CommitteePage 547

Civil Service:

Employees in certain towns to be placed under, Senate Bill No. 137.

Sheriffs' offices, to be placed under, Senate Bill No. 294.

State and county employees to be governed by regulations of, Senate Bill No. 177.

Civil Service Commission:

Appointed by same power who appointed the chief of police, Senate Bill No. 137.

Sheriff's office, employees of, to be placed under, Senate Bill No. 294.

Civilian Conservation Corps:

Boxing and wrestling matches, exempt from securing of license, Senate Bill No. 259.

Claims:

Sworn to before officer authorized to administer oaths, Senate Bill No. 116.

Clallam County:

Sale of state lands to school district No. 58, in, Senate Bill No. 366.

Clams:

Digging prohibited in Island County, Senate Bill No. 27.

Clark, Major M. W.:

Introduced at Golden Jubilee session.....Page 329

Clarke-McNary Act:

Division of forestry and state college to receive federal funds under, House Bill No. 289.

Closing Business of Senate:

Resolution regardingPage 807

Coal Miners:

Establishment of miners examining board, Senate Bill No. 28.

Hoist engineer, qualifications for, in coal mining, House Bill No. 225.

Code:

Third and fourth-class cities, compilation of code containing constitutional provisions and state statutes for, House Bill No. 113.

Code Departments:

Abolishment of, to be determined by Commission on Economy, Efficiency and Simplicity in State Government, Senate Bill No. 462.

Coffman, N. B.:

Introduced at Golden Jubilee session.....Page 328

Colbert:

Spokane to, establishment of secondary state highway, Senate Bill No. 397.

Colburn, Charles L.:

Adjournment of Senate in honor of.....Page 75

Eulogy by Senator Stinson.....Pages 226-7

Colby:

Port Orchard to, establishment of secondary highway, Senate Bill No. 345.

Cold Storage Plants:

Construction and maintenance of, in cities of the fourth class, Senate Bill No. 383.

Fees for operation of, rules and regulations, Senate Bill No. 413.

Fish, game birds and animals placed in, records to be kept and furnished State Game Commission, Senate Bill No. 363.

Collection Agencies:

Bond, providing, for operation of collection agencies, House Bill No. 70.

College Current Fund:

Abolishing, creating Washington State College fund, House Bill No. 247.

College of Education:

Western Washington, appointment of board of trustees of.....Page 424

Western Washington, confirmation of appointments.....Page 457

Colleges:

Appropriation for state university and colleges for fiscal biennium, House Bill No. 450.

College current fund, abolishing; creating Washington State College fund, House Bill No. 247.

Flag of U. S. to be displayed on campuses, House Bill No. 105.

Junior college districts to operate experimental educational program, House Bill No. 283.

Repealing law which allows board of universities to build without legislative authority, Senate Bill No. 308.

University board of regents, authorizing acceptance of gifts from private sources; disposition of, House Bill No. 204.

University of Washington, designating what fees will be spent for, House Bill No. 561.

Washington State College to receive federal funds under Clarke-McNary act and cooperative farm forestry act, House Bill No. 289.

Collins, Josiah:

Introduced at Golden Jubilee session.....Page 328

Columbia Basin:

Land speculation in vicinity of, to be prevented, Senate Bill No. 126.

Columbia River:

River wall, construction of, on the, Senate Joint Memorial No. 6.

Salmon in district of, preservation of, fund to be established to administer federal funds, Senate Bill No. 412.

Sokulk Indians permitted to fish within certain designated areas on, House Bill No. 327.

Trout in district of, preservation of, fund to be established to administer federal funds, Senate Bill No. 412.

Columbia Slough:

Bridge across, completing construction from Puget Island to Cathlamet, House Bill No. 406.

Colville:

State lands, exchange of, with Colville for new forestry building, House Bill No. 287.

Commercial Feeding Stuff:

Department of Agriculture to register, House Bill No. 351

Commission Merchant:

License required to sell agricultural products on commission, House Bill No. 135.

Commission on Economy, Efficiency and Simplicity in State Government:

Code departments, feasibility of abolishment of, to be determined by, Senate Bill No. 462.

Commissioner of Public Lands:

Certification of state lands for municipal parks and playgrounds, Senate Bill No. 23.

Clallam county, sale of state lands by, to school district No. 58, Senate Bill No. 366.

Cooperative management of state lands with national forest and private timber lands in a sustained yield management unit, Senate Bill No. 456.

Deeding certain shore lands to King county for recreational purposes, Senate Bill No. 17.

Land, speculation of lands within boundaries of Columbia Basin, to be prevented by, Senate Bill No. 126.

Lands to be deeded University of Washington for arboretum and botanical garden purposes, Senate Bill No. 197.

Leasing of state lands for exploration and development of gas and oil, Senate Bill No. 19.

Navigability of rivers, lakes, etc., to be determined by, Senate Bill No. 390.

Office of, may be abolished by legislature, Senate Joint Resolution No. 6.

Puget Mill Company, appropriation for relief of, by, Senate Bill No. 437.

Sale of portion of Snohomish county, Senate Bill No. 53.

State Forest Board, member of, to be the, Senate Bill No. 375.

Tide lands in front of LaConner, authorizing sale of, House Bill No. 381.

Vacation of Des Chutes waterway in city of Olympia, Senate Bill No. 257.

Young, William H., balance due for land to be reduced by, Senate Bill No. 389.

Commissioner of Unemployment Compensation and Placement:

Appointment ofPage 424

Confirmation of appointment.....Pages 456, 511-12

Committees:

Appointment of standing.....Page 40

Appointment of vice-chairman of.....Page 49

Changes in standing.....Page 46

Changes in rooms of.....Page 785

Confirmation of changes in standing.....Page 46

Confirmation of standing.....Page 43

Revision of standing, resolution regarding.....Page 654

Committee of Examiners for Examining Painters:

Painting contractors and journeymen to be licensed, House Bill No. 223.

Common Carriers:

Fees to be paid by, Senate Bill No. 184.

Railroad, common carrier operating as plant facility to extent of 80% or more of its business, tax rate on, House Bill No. 487.

Common School Fund:

Five-mill maximum tax on all state taxable property toward, House Bill No. 184.

Communicating Systems:

Police, system of teletypewriter, supervision of state patrol, Senate Bill No. 338.

Compensation:

Industrial insurance act, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 191.

Occupational disease, compensation for disability or death incurred by employee resulting from, House Bill No. 100.

Washington State Patrol members to receive, while relieved of duty during injury or sickness, Senate Bill No. 333.

Workmen injured in extrahazardous employment, Senate Bill No. 100.

Conditional Sales Contracts:

Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.

Confectionery:

Candy, permit to be secured for manufacture or sale of, Senate Bill No. 409.

Confirmations:

Of appointments by the Governor.....Pages 456, 509-12

Congress:

Allot a regiment of national guard anti-aircraft artillery to this state, Senate Joint Memorial No. 8.

Clarke-McNary act and cooperative farm forestry act, Division of Forestry and State College to receive federal funds under, House Bill No. 289.

Closing of a portion of Stevens county to grazing, Senate Joint Memorial No. 1.

General welfare act, asking enactment of, to standardize social security laws, House Joint Memorial No. 7.

Keystone Harbor to Crockett Lake, dredging of, and constructing a rock breakwater, Senate Joint Memorial No. 12.

Lewis and Clark highways, completion of, Senate Joint Memorial No. 11.

Liquor advertising on radio, prevention of by, Senate Joint Memorial No. 13.

Noxious weeds, petitioning, to enact legislation and provide funds to assist in control of, House Joint Memorial No. 21.

Petitioning, relative to export traffic in war materials to Japan, Senate Joint Memorial No. 3.

Postage stamp, celebrating Golden Jubilee of the admission of this state to the Union, Senate Joint Memorial No. 4.

Provision for old age assistance in the general welfare act, Senate Joint Memorial No. 2.

Rehabilitation of harbor defenses of Puget Sound, Senate Joint Memorial No. 9.

Sesquicentennial celebration commemorating discoveries of Captain Robert Gray, Senate Joint Memorial No. 10.

Shilshole Bay, asking congress for appropriation to construct breakwater in, House Joint Memorial No. 4.

Shipbuilding plant on Puget Sound and freight and passenger service between Sound and Orient, to be established, House Joint Memorial No. 2.

Vessels, under 200 tons gross tonnage, exempt from having licensed personnel, Senate Joint Memorial No. 7.

Works Progress Administration program, continuation of, by \$875,000,000 appropriation, Senate Joint Memorial No. 5.

Conner, W. W.:

Adjournment of Senate in honor of.....Page 7

Eulogy by Speaker Sylvester.....Page 227

Conservation and Development:

Department of, appointment of director of.....Page 424

Department of, confirmation of appointment of director of.....Page 457

Constable:

Office of, abolished in class A counties and first class cities, Senate Bill No. 318.

Constitutional Amendments:

Appointment of districts relative to legislative representation, Senate Joint Resolution No. 15.

Convention to be called by legislature in 1941 to revise the constitution, Senate Joint Resolution No. 9.

Construction:

- Approach to University of Washington campus, resolution regarding.....Page 676
- Corporations to file costs involved in the support or defeat of, Senate Bill No. 205.
- Legislature members' salaries, to be fixed by law, Senate Joint Resolution No. 12.
- Liability of stockholders in corporations, Senate Joint Resolution No. 8.
- Lieutenant-Governor and Commissioner of Public Lands offices, may be abolished by legislature, Senate Joint Resolution No. 6:
- Limit property tax levies to 40 mills, Senate Joint Resolution No. 4.
- Personal net income taxes, submission to voters, Senate Joint Resolution No. 14.
- Publicly owned property to be taxed as if privately owned, Senate Joint Resolution No. 11.
- Repealing section 7 of article XI, Senate Joint Resolution No. 1.
- Salary of state auditor to be fixed by legislature, Senate Joint Resolution No. 5.
- Salary of State Auditor to be fixed by legislature, Senate Joint Resolution No. 5.
- Single legislative body, with legislative council, Senate Joint Resolution No. 3.
- State Treasurer's office abolished, Senate Joint Resolution No. 6.
- Taxation and special assessments, Senate Joint Resolution No. 10.

Contempt of Court:

- Penalties for same, Senate Bill No. 35.

Contractors:

- Aliens and nonresidents prohibiting employment of, on public works, House Bill No. 161.
- Bonds to be furnished by, on public works projects, Senate Bill No. 351.
- Painting contractors, licensing and bonding of, House Bill No. 223.
- Purchase of goods manufactured in this state for use in a political subdivision, Senate Bill No. 208.

Contracts:

- Diking, drainage, or sewerage improvement districts, assessment of lands acquired by foreclosure and sold under contract, House Bill No. 120.
- Industrial insurance act, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 190.
- Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.
- Use of state products whenever prices are equal in connection with public, held by private person, Senate Bill No. 208.

Conyard, Louis A.:

- Eulogy by Senator McMillan.....Page 227
- Tribute to, resolution regarding.....Page 23

Cooperative Farm Forestry Act:

- Division of forestry and state college to receive federal funds under, House Bill No. 289.

Copyrights:

- Protection of, repealing certain laws, Senate Bill No. 5.
- State registration of musical, fees to be paid, Senate Bill No. 414.

Coroner:

- Abolishing office of, in certain counties, Senate Bill No. 31.

Corporations:

- Advertising for or soliciting of choses in action for purpose of collection or settlement of suit by, prohibited, Senate Bill No. 314.
- Agricultural and horticultural commodities, except grains, prohibiting sale of, by persons not owning or holding mortgages on, House Bill No. 226.
- Appeals from decisions and orders of Director of Agriculture may be brought by, Senate Bill No. 224.
- Bail bonds executed for consideration, surety must deposit cash bail or surety bond, House Bill No. 389.
- Campaign receipts and expenditures, filing of statement by, Senate Bill No. 426.
- Capital stock qualifications on industrial loan companies according to size of cities; limiting loan rates to 10%, House Bill No. 148.

Corporations—Continued:

- Commercial feeds, fertilizers and livestock remedies, registration of, by Department of Agriculture, House Bill No. 351.
- Domestic insurance companies may invest capital stock in certain leases, House Bill No. 385.
- File statement of costs involved in supporting or defeating a referendum or amendment, Senate Bill No. 205.
- Funds may be invested in companies insured by Federal Deposit Insurance Corporation, Senate Bill No. 223.
- Hospitals, non-profit, regulations to be observed by, Senate Bill No. 131.
- Inheritance tax, exemption of, on certain bequests for charitable purposes which pass out of state to certain societies, House Bill No. 425.
- Inheritance tax exemptions to certain non-profit, Senate Bill No. 106.
- Insurance companies, certain ones to file rate schedules with Insurance Commissioner, House Bill No. 407.
- Insurance company withdrawing from state, all Washington business must be re-insured with another approved company, House Bill No. 399.
- Liability of stockholders to be limited in, Senate Joint Resolution No. 8.
- Life insurance policies, specifying persons to whom payment under, shall be made, House Bill No. 180.
- Limiting incorporating expense of corporation applying for permit to operate insurance company to 7½% of par value or sales price of stock, House Bill No. 268.
- Mining stocks, issuance of by, and regulations to be observed, Senate Bill No. 446.
- Monopolies, prohibiting unfair competition, discrimination and practices in connection with sale of certain articles to prevent, House Bill No. 282.
- Motor vehicles, those making loans on to be licensed; limiting rate of interest, House Bill No. 96.
- Motor vehicles, unlawful for firm transferring or disposing of, to fail to deliver valid certificate of ownership, House Bill No. 473.
- Olympic national park, corporations' property within boundaries of, to be taxed by state, House Bill No. 41.
- Painting contractors, bonding and licensing of, House Bill No. 223.
- Personal property to be assessed annually on monthly average basis, House Bill No. 175.
- Public utilities to pay cost of certain investigations by Department of Public Service, House Bill No. 535.
- Public utility service, resell of by, authority to be first granted by Department of Public Service, Senate Bill No. 280.
- Sale of delinquent shares of, under metalliferous mining securities act, Senate Bill No. 481.
- Savings and loan associations, conversion of federal to state, House Bill No. 188.
- Shareholders, removal of board of directors by; demand for payment of shares when corporation merges or consolidates, House Bill No. 271.
- Stock, making uniform law regulating indorsement, transfer and delivery of shares of, House Bill No. 372.
- Tax on operating property, when valued at less than \$250, may be apportioned to adjacent county or tax district, House Bill No. 80.
- Telephone and telegraph service, interference by electrical lines to be eliminated, House Bill No. 536.
- Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.
- Wages earned by deceased employee prior to death to be paid to nearest kin, House Bill No. 221.
- Wages, underpayment of agreed certain deductions from, unlawful, House Bill No. 128.

Cosmetics:

- False advertisement and misbranding prohibited, Senate Bill No. 315.
- Preventing manufacture, shipment, and sale of adulterated or misbranded, and false advertisement of, Senate Bill No. 15.

Cotterill, George F.:

- Introduced at Golden Jubilee session.....Page 328

Coulee Dam:

Keller to, establishment of state highway, Senate Bill No. 367.

Council of State Governments:

Proclamation from, regarding fourth general assembly of.....Page 59

Counties:

- Apportionment of taxes, when company's operating property is less than \$250, it may be apportioned to adjacent county, House Bill No. 80.
- Auditor to file monthly financial statement with State Auditor, Senate Bill No. 251.
- Bailiffs, compensation of, in superior courts, House Bill No. 94.
- Bonds issued by not requiring ordinance to appear thereon authorizing their issuance, House Bill No. 379.
- Bonds, issuance of, by public utility districts, Senate Bill No. 200.
- Bonds, providing for action to test validity of those issued by, House Bill No. 426.
- Boundaries, setting date for establishing, for levy of property taxes, House Bill No. 163.
- Civil service, establishment of in, of 100,000 population or over, Senate Bill No. 177.
- Clerks of, to keep index of all actions, suits and proceedings, Senate Bill No. 476.
- Ferry service, money or materials to be contributed by, for purposes of a, Senate Bill No. 253.
- Fire-protection districts, use of equipment for fires in unincorporated part of county and in other districts, House Bill No. 81.
- Flood control districts established in various, Senate Bill No. 344.
- Homesite lands, authorizing county commissioners to designate county-owned lands as, House Bill No. 382.
- Irrigation districts, inclusion of new lands in districts comprising more than 200,000 acres, House Bill No. 342.
- Jefferson, establishing Salt Creek state park in, House Bill No. 401.
- Land owned by, to be given to state or U. S., Senate Bill No. 332.
- Lands returned to, by state or state forest board, Senate Bill No. 310.
- Legal aid bureaus limited to first-class and class A counties, House Bill No. 30.
- Liquor, reallocation of profit from sales of, to, House Bill No. 260.
- Mine to market roads to be maintained by, after construction, House Bill No. 192.
- Motor vehicle fund appropriations for, Senate Bill No. 474.
- Movable span bridges, counties to continue to maintain those located within cities, Substitute House Bill No. 392.
- Parks and recreational sites, property acquired by tax foreclosure proceedings to be used as, Senate Bill No. 347.
- Public utility districts to pay 5% of gross income to, Senate Bill No. 199.
- Purchasing agents to buy goods grown or manufactured in the state, Senate Bill No. 208.
- Registration cost to be split between, when precincts are lying in each county, Senate Bill No. 469.
- Salary fund, creation of, in all counties, House Bill No. 39.
- Sale of property acquired for taxes, procedure for releasing part of tract to purchaser, House Bill No. 364.
- School districts, adequate school terms and minimum teachers' salaries, Senate Bill No. 284.
- School districts, reorganization of, Senate Bill No. 335.
- Sheriffs' department, to be placed under civil service regulations, Senate Bill No. 294.
- Signatures on interest coupons of bonds issued by, House Bill No. 365.
- State lands, exchange of, with Stevens County for new forestry building, House Bill No. 287.
- State to assist, municipalities and school districts, with financing for federal work relief projects, Senate Bill No. 467.
- Wages of commissioners paid on a per diem basis, Senate Bill No. 265.

Counties (Class "A"):

- Bailiffs, compensation of, in superior courts, House Bill No. 94.
- Board of tax appeals in, creation of, for equalization of the assessment of property, Senate Bill No. 340.
- Constable, office of in, abolished, Senate Bill No. 318.
- Legal aid bureaus limited to first-class and class A counties, House Bill No. 30.
- Purchasing agent, appointment of in, Senate Bill No. 457.

Counties of the First Class:

- Board of Budget Review established in, for making and controlling estimates, levies, and expenditures, Senate Bill No. 90.
- Board of Tax Appeals in, creation of for equalization of the assessment of property, Senate Bill No. 340.
- Coroner, abolishment of office in, Senate Bill No. 31.
- Legal aid bureaus limited to first-class and class A counties, House Bill No. 30.
- Police pension, deduction from their salaries for, Senate Bill No. 143.
- Port Commission authorized to create industrial development districts in, Senate Bill No. 88.
- Purchasing agent, appointment of in, Senate Bill No. 457.

Counties of the Second Class:

- Board of Budget Review established in, for making and controlling estimates, levies and expenditures, Senate Bill No. 90.
- Coroner, abolishment of office in, Senate Bill No. 31.
- Purchasing agent, appointment of in, Senate Bill No. 457.

Counties of the Third Class:

- Coroner, abolishment of office in, Senate Bill No. 31.
- Purchasing agent, appointment of in, Senate Bill No. 457.

County Assessors:

- Appeal to Tax Commission relative to taxation may be made by, Senate Bill No. 428.
- Assessments, cancellation or reduction of, on property erroneously assessed, House Bill No. 103.
- Jury lists, preparation of by, and selection of, Senate Bill No. 94.
- Personal property to be assessed annually on monthly average basis, House Bill No. 175.
- Tax Commission, assessors may appeal to, from action of county or township board of equalization, House Bill No. 80.

County Auditor:

- Board of Tax Appeals, member to be, Senate Bill No. 340.
- Bond to be furnished by, to cover anticipated amount of motor vehicle license fees, Senate Bill No. 124.
- Elections, to be registrar for rural precincts, House Bill No. 33.
- Fishing license to be filed with, Senate Bill No. 163.
- Marriage license, three-day notice, Senate Bill No. 71.
- Real property, transfers and conveyance of, duties of, Senate Bill No. 432.
- Recounts of ballots under supervision of, Senate Bill No. 238.
- Report of all cash and securities in possession, to credit of county, to state auditor, Senate Bill No. 251.
- School warrants to be registered in county treasurer's and school superintendent's offices by, Senate Bill No. 466.

County Board of Equalization:

- Reconvening of, House Bill No. 80.

County Clerks:

- Index to be kept by, of all actions, suits and proceedings, Senate Bill No. 476.
- Jury lists, duties of, Senate Bill No. 94.

County Commissioners:

- Adequate drainage along county roads in areas subject to periodic floods, to be provided by, Senate Bill No. 442.
- Agricultural prorated marketing zones, duties of, Senate Bill No. 336.
- Annexing county territory to a nearby county to which it is contiguous, duties of, Senate Bill No. 388.
- Appoint agents to carry out provisions of Regional Planning Commission, Senate Bill No. 162.
- Attorney to examine land titles, to be appointed by, Senate Bill No. 179.
- Cemetery maintenance districts, procedure for authorization handled by, Senate Bill No. 134.
- Certified budget, filing of, with clerk of board, House Bill No. 131.
- Civil Service Personnel Director, to be appointed by, Senate Bill No. 177.

County Commissioners—Continued:

- Compensation of, paid on a per diem basis, Senate Bill No. 265.
- Forest reserves, one-half money received from, to go to public schools, Senate Bill No. 323.
- Health budget by, for their respective counties, Senate Bill No. 438.
- Homesite lands, authorizing commissioners to designate county-owned lands as, House Bill No. 382.
- Irrigation districts, dividing of by, Senate Bill No. 125.
- Lands, sale of to state or United States, Senate Bill No. 332.
- Public parks, empowered to convert suitable lands acquired through tax foreclosure as such, Senate Bill No. 347.
- Public utility districts, submission to voters, by, Senate Bill No. 198.
- Purchasing division, establishment of in various counties, Senate Bill No. 456.
- Sewer districts established in certain cities, duties of, Senate Bill No. 305.
- Tax levies fixed by, in first and second class counties, Senate Bill No. 90.
- Tenure of office for, from various districts, Senate Bill No. 119.
- Uniformity co-ordination of county administrative programs, authority vested in, Senate Bill No. 359.

County Committee for Reorganization of School Districts:

- Formation of, to reorganize school district boundaries, Senate Bill No. 335.

County Employees:

- Motor vehicles or other property owned by county to be used only for official business, House Bill No. 64.

County Engineer:

- Flood control engineer to be the, in various cities and towns, Senate Bill No. 344.
- School district committee on reorganization, member to be, Senate Bill No. 335.
- Surveys, record of certain, to be filed with, House Bill No. 315.

County Lands:

- Homesite lands, authorizing county commissioners to designate county-owned lands as, House Bill No. 382.

County Officers:

- Assessments, cancellation or reduction of, on property erroneously assessed, House Bill No. 103.
- Auditor, to be registrar for voters in rural precincts, House Bill No. 33.
- Constable, position of in class A counties and first class cities, abolished, Senate Bill No. 318.
- Homesite lands, authorizing county commissioners to designate county-owned lands as, House Bill No. 382.
- Office hours from 9 a. m. to 5 p. m., Senate Bill No. 59.
- Party committees, Vice-Chairman to be opposite sex from Chairman, House Bill No. 300.
- Surveys, record of certain, to be filed with county engineer, House Bill No. 315.
- Tax Commission to exercise general supervision and control over, officers whose duties pertain to taxation, House Bill No. 80.
- Term of office of, Senate Joint Resolution No. 1.

County Offices:

- Hours of opening and closing, Senate Bill No. 62.
- Hours of opening and closing, Senate Bill No. 64.
- Vacancies in, amending certain laws, Senate Bill No. 6.

County Party Committees:

- Vice-chairman of, to be opposite sex from Chairman, House Bill No. 300.
- Women given political equality with men on county and state committees, Senate Bill No. 288.

County Planning Commission:

- Safety and convenience of travel, eliminating hazards, preserving landscapes; assistance to be given by, Senate Bill No. 370.

County Reviewing Committee:

State school relief fund, duties relating to assisting needy school districts, House Bill No. 346.

County Road Engineer:

Flood Control Engineer, to be the, in various cities and towns, Senate Bill No. 342.

County Roads:

Drainage along, subject to periodic floods, Senate Bill No. 442.

Motor vehicle fund, reappropriation for maintenance and construction of, Senate Bill No. 395.

Vacating or abandonment of, Senate Bill No. 406.

County School Superintendents:

Committee on reorganization of school districts, chairman to be, Senate Bill No. 335.

Establishment of "adjustment," "opportunity," or "remedial" schools, Senate Bill No. 211.

School warrants to be registered in office of, Senate Bill No. 466.

Vouchers for second and third class school districts to be approved by, Senate Bill No. 465.

County Treasurers:

Assessments, cancellation or reduction of, on property erroneously assessed, House Bill No. 103.

Board of tax appeals, member to be, Senate Bill No. 340.

Fire-protection districts, certain funds for district's use to be created in treasurer's office, House Bill No. 81.

Irrigation districts, duties concerning sales of land for delinquent district assessments, House Bill No. 126.

Personal property taxes, collection of by, Senate Bill No. 122.

Public utility districts to pay 5% of gross revenues to, Senate Bill No. 199.

Tax on improvement or land on which it is situated, may be paid separately, House Bill No. 80.

Withhold foreclosure proceedings on installment contracts, Senate Bill No. 51.

Coupons:

Signatures on interest coupons of bonds issued by counties, cities and school districts, House Bill No. 365.

Court Reporter:

Appointment of, to record proceedings of grand jury, Senate Bill No. 164.

Repealing law granting a per diem for not to exceed 10 days per month while court is in session, House Bill No. 269.

Courts:

Abolishing contributory negligence in certain actions, Senate Bill No. 246.

Appointment of expert witnesses, Senate Bill No. 77.

Bail bonds executed for consideration, surety must deposit cash bail or surety bond, House Bill No. 389.

Bailiffs, compensation of, in superior courts, House Bill No. 94.

Bonds, action to test validity of those issued by counties, cities, school or taxing districts, House Bill No. 426.

Court reporters, repealing law granting 10 days per diem per month while court is in session, House Bill No. 269.

Justice of peace to be appointed police judge in first-class cities; to preside over municipal court, House Bill No. 217.

New trials in superior or supreme, errors relating to damages, Senate Bill No. 247.

Passing of sentence may be deferred, Senate Bill No. 234.

Removing jurisdiction of, in labor disputes, Senate Bill No. 287.

Witnesses, compelling attendance of out-of-state, in criminal cases, House Bill No. 243.

Cowlitz County:

Appropriation for, Senate Bill No. 433.

Coyotes:

Bounties, \$5.00 for killing adult coyotes, House Bill No. 181.

Credit Unions:

Shareholders, limiting holdings; providing for calculation of interest and collateral security, House Bill No. 201.

Creditors:

Administrators and executors, authorizing creditors of deceased persons to file demand for notice of proceedings by, House Bill No. 68.

Administrators, filing publication of notice to creditors by, House Bill No. 9.

Administrators, published notice to creditors of resignation or removal of, House Bill No. 8.

Executor or administrator, published notice to creditors of resignations, House Bill No. 8.

Executors or administrators, filing publication of notice to creditors, House Bill No. 9.

Life insurance payments, exempting from debt collection, House Bill No. 348.

Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.

Crime:

Bail bonds executed for consideration, surety must deposit cash bail or surety bond, House Bill No. 389.

Court may defer passing of sentence in criminal cases, Senate Bill No. 234.

Death penalty not to be inflicted as punishment for, Senate Bill No. 216.

Granting and regulating of probation, Senate Bill No. 254.

Granting of probations, regulations to be observed, Substitute Senate Bill No. 254.

Minors not allowed in taverns where liquor sold, Senate Bill No. 307.

Reciprocity agreement with other states for pursuit of criminals, House Bill No. 244.

Release of prisoners from Penitentiary or Reformatory, House Bill No. 240.

Sabbath breaking, Senate Bill No. 37.

Submission of criminal actions to court without a jury, Senate Bill No. 235.

Sunday closing law, repealing, House Bill No. 198.

Witnesses, compelling attendance of out-of-state, in criminal cases, House Bill No. 243.

Crocket Lake:

Keystone Harbor to, dredging of, and constructing a rock breakwater, Senate Joint Memorial No. 12.

Crops:

Regulations of, to be under soil conservation districts committee, Senate Bill No. 343.

Current State School Fund:

State school relief fund, appropriating \$850,000 to, from current state school fund, House Bill No. 346.

Current State School Suspense Fund:

Abolishing; transferring monies to general fund, House Bill No. 248.

Custodian of Public Property:

Insurable property, to be listed by, Senate Bill No. 123.

Custodians:

Voting machine, duties of, Senate Bill No. 91.

Dailey, W. I.:

Appointment of to Board of Prison Terms and Paroles.....Page 424

Confirmation of appointment of.....Page 458

Dairy Industry:

Investigation of (see Milk and Dairy Products).

Dairy Products:

Advertising and sales promotion campaign to increase consumption of, House Bill No. 189.

Agricultural prorated marketing zones for, Senate Bill No. 336.

Milk production and distribution, investigation of, Senate Bill No. 449.

Damages:

- Abolishing contributory negligence in certain actions to recover, Senate Bill No. 246.
- Dogs, recovery of damages for persons bitten by; creating liability of owner, House Bill No. 23.
- New trials granted in superior or supreme courts for errors relating to, Senate Bill No. 247.

Dams:

- Impairment of, prevention of by soil conservation committee, Senate Bill No. 343.

Davis, Arthur W.:

- Appointment of, to Board of Regents of State College of Washington.....Page 424
- Confirmation of appointment of.....Pages 456, 510

Deafness:

- Lip reading to be taught free to physically handicapped adults, House Bill No. 2.

Death Penalty:

- Abolishment of, as punishment for crime, Senate Bill No. 216.

Deaths:

- Abolishing contributory negligence in certain actions to recover damages for, Senate Bill No. 246.
- Actions resulting from negligence may be prosecuted by executors of such party, Senate Bill No. 248.

Debate:

- Limitation of, in senate, motion regarding.....Page 614

Debts:

- Homesteads, exempting of, as established following deaths, from claims for, Senate Bill No. 172.
- Lowering of exemptions on life insurance, Senate Bill No. 173.
- State, additional levy to pay off same, Senate Bill No. 273.

Defendants:

- Not to be convicted by a judgment of a court sitting without a jury under certain circumstances, Senate Bill No. 235.

Defense:

- Of North Pacific Coast, resolution regarding.....Pages 191, 255

Dentists:

- Advertising of, relative to merits and benefits over another practitioner prohibited, Senate Bill No. 264.
- Prescription required from, to obtain amytal, luminal, veronal, etc., or their derivatives, House Bill No. 11.

Department of Agriculture:

- Appeals from decisions and orders of, Senate Bill No. 224.
- Apples, prohibiting unfair trade practices and preventing frauds, House Bill No. 541.
- Apples, sale of, must be in compliance with requirements of Director, House Bill No. 324.
- Branded cattle, inspection of, House Bill No. 208.
- Brands of ownership to be filed with, Senate Bill No. 243.
- Butter substitutes, retailers of, to list places of businesses dealing in, Senate Bill No. 417.
- Cold storage lockers, permit for operation to be secured from, Senate Bill No. 413.
- Commercial feeds, fertilizers and livestock remedies, registration of, House Bill No. 351.
- Confectioner's permit issued by, Senate Bill No. 409.
- Dairy products, duties of department relating to advertising of, and assessment of butter fat, House Bill No. 189.
- Fairs, providing for district, as preliminary for state 4-H club fair, House Bill No. 236.
- Honey, regulating sale and marketing of, House Bill No. 227.
- Inspection of licensed bakeries, Senate Bill No. 50.

Department of Agriculture—Continued:

- Macaroni factory permit to be secured from, fees to be paid, Senate Bill No. 408.
- Meat inspection, to enforce and supervise laws relating to, House Bill No. 83.
- Milk Control Board, secretary of, to be Director of, Senate Bill No. 353.
- Nursery stock owned by licensed nurserymen, reciprocal agreements with other states for shipping, House Bill No. 110.
- Powers of, relating to sale of adulterated, misbranded and falsely advertised foods, drugs and cosmetics, Senate Bill No. 15.
- Rabies and sleeping sickness among dogs and horses respectively, appropriation to eradicate, House Bill No. 277.
- Soil Conservation Committee, member to be Director of, Senate Bill No. 343.
- Washington commission merchants act, duties of department in connection with, House Bill No. 135.
- Washington uniform food, drug and cosmetic act, administration of by, Senate Bill No. 315.

Department of Conservation and Development:

- Appointment of Director of.....Page 424
- Assists in decoration of state lands for municipal parks and playgrounds, Senate Bill No. 23.
- Confirmation of appointment of Director of.....Page 457
- Decoration of state lands for municipal parks and playgrounds, assistance given by, Substitute Senate Bill No. 23.
- Flood Control Division, established in, Senate Bill No. 344.
- Forestry division to receive Federal funds under Clarke-McNary act and cooperative farm forestry act, House Bill No. 289.
- Mine to market roads, duties of Director relating to, House Bill No. 192.
- Oil and gas conservation law, administrator to be the, Senate Bill No. 169.
- Reclamation revolving fund, fees by claimants of water power to be paid into, House Bill No. 177.

Department of Finance, Budget and Business:

- Clarence J. Lord house, placed under custody of, Senate Joint Resolution No. 18.
- Delinquent taxes, payment of fees for collection of, Senate Bill No. 262.
- Dog Racing Commission, office space to be provided by, Senate Bill No. 339.
- Duties of inspection of books, and audits vested in, transferred to State Auditor, Senate Bill No. 276.
- Food processing plants, to be established and maintained by, Senate Bill No. 175.
- Governor's committee on interstate cooperation, one member to be the, Senate Bill No. 204.
- McKay Memorial Research Hospital under management and control of, Senate Bill No. 114.
- Munson Hall and Sue Lombard Hall, to be purchased by, Senate Bill No. 127.
- Prisoners of institutions, information furnished, to be investigated by, Senate Bill No. 314.
- Promote state-use system of industries made in correctional institutions, Senate Bill No. 29.
- Snohomish County lands, one of a committee to enter into a contract for purchase of, Senate Bill No. 99.
- Social Security Committee, one member to be Director of, Senate Bill No. 427.
- State vocational school, determine site for, by, Senate Bill No. 4.
- Syphilis patients at state hospitals, regulations under, Senate Bill No. 490.
- Title of, changed to Department of Finance and Business, Division of Budget transferred to Governor, Senate Bill No. 423.

Department of Fisheries:

- Application for appropriation or storage of water, notice to be sent to, by supervisor of hydraulics, Senate Bill No. 304.
- Creation of fund for administration of Federal funds relative to preservation of salmon of the Columbia River district, Senate Bill No. 412.
- Fishing in waters of the Puget Sound for purposes of study or propagation, Senate Bill No. 158.
- Fish trap or pound net locations in Whatcom County to westerly point of Patos Island, establishment of, by, Senate Bill No. 429.
- Open and closed seasons for fishing in waters of the state, Senate Bill No. 163.

Department of Social Security—Continued:

- Pound net, use of, restricted in certain areas, regulations set by, Senate Bill No. 405.
- Shellfishes, rules and regulations to be established by, Senate Bill No. 93.
- Shellfishes, sale or use of, to be regulated by, Senate Bill No. 194.
- Tuna regulations to be handled by, Senate Bill No. 109.

Department of Game:

- Application for appropriation or storage of water, notice to be sent to, by supervisor of hydraulics, Senate Bill No. 304.
- Creation of fund for administration of Federal funds relative to preservation of trout in waters of the Columbia river, Senate Bill No. 412.
- Fur-bearing animals, owners to establish ownership of, to the, Senate Bill No. 243.
- Regulate hunting seasons for various areas, limitation of hunters, Senate Bill No. 278.
- Revoke license of those who have trespassed upon land without first seeking permission, Senate Bill No. 74.
- Sokulk Indians fishing within designated area on Columbia River regulated by state game commission, House Bill No. 327.
- Wildlife-restoration projects, establishment of, House Bill No. 231.

Department of Health:

- Apportionment of budget for public health work, Senate Bill No. 438.
- Board of plumber examiners, one member to be appointed by, Senate Bill No. 416.
- Hospital Investigation Committee, member to be the Director of, Senate Bill No. 311.
- Journeyman plumber, to be granted proper certificate by, Senate Bill No. 416.
- Medical examination certificate to be transmitted to, Senate Bill No. 373.
- State Board of Health, supervise plumbing, drainage, sewerage, Senate Bill No. 326.
- Syphilis test for pregnant women, conducted by, Senate Bill No. 374.

Department of Highways:

- Administration by, of Federal funds, expenses for, Senate Bill No. 392.
- Campus approach to University of Washington, purchase of property by, Substitute Senate Bill No. 36.
- Capital outlay, reappropriation for, Senate Bill No. 393.
- Cascade Tunnel Commission, assistance to be given by, Senate Bill No. 380.
- Ferry service, balance sheet to be kept by, Senate Bill No. 253.
- Grand Coulee highway investigation to be made by, Senate Bill No. 448.
- Grand Coulee, repair to streets, under supervision of, Senate Bill No. 269.
- Highway testing laboratory site, reappropriation for, Senate Bill No. 391.
- Mine to market roads, duties of director relating to, House Bill No. 192.
- Monroe to Bothell, survey of highway to be made by, Senate Bill No. 202.
- Motor vehicle fund, reappropriation for maintenance and construction of county roads and city streets, Senate Bill No. 395.
- Motor vehicle fund, reappropriation from, for improvement and construction of primary state highways, Senate Bill No. 396.
- Primary state highway No. 18, survey and location of, to be made by, Senate Bill No. 129.
- Primary state highway system to be established by, Senate Bill No. 218.
- Secondary state highways, reappropriation from motor vehicle fund for maintenance, construction of, Senate Bill No. 394.
- Safety and convenience of travel, eliminating hazards, preserving landscapes; duties of, Senate Bill No. 370.
- Sewer districts, plans and specifications to be approved by, Senate Bill No. 305.
- State Parks Committee, duties of transferred to, Senate Bill No. 362.
- Submit survey to 1941 legislature on relocation of state road between Enumclaw and Auburn, Senate Bill No. 75.
- Survey of scenic highway, from Belfair to Port Gamble, to be made by, Senate Bill No. 404.
- Traffic devices, installation of in incorporated towns, under supervision of, Senate Bill No. 420.
- Vehicle equipment test by, licensing of cars not before, Senate Bill No. 421.
- White Pass highway, completion of by, Senate Bill No. 475.

Department of Horticulture:

- Apples sold, subject to inspection by, House Bill No. 324.

Department of Labor and Industries:

- Appeals from orders, decisions or awards of, Senate Bill No. 180.
- Appeals to superior court, either party entitled to trial by jury, Senate Bill No. 38.
- Appeals to superior court from orders, decisions and awards of, Senate Bill No. 101.
- Boiler inspection office in connection with, House Bill No. 138.
- Electrical appliance firms securing applications for licenses, Senate Bill No. 32.
- Electrical appliance regulations, enforced by, Senate Bill No. 348.
- Electric wiring permit to be secured from, Senate Bill No. 317.
- Hospital Investigation Committee, member to be the Director of, Senate Bill No. 311.
- Household or domestic employees' rates and hours, regulated by, Senate Bill No. 107.
- Industrial insurance act, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 190.
- Miners Examining Board, appointment of, Senate Bill No. 28.
- Motor vehicle license insurance fund administered by, Senate Bill No. 117.
- Physically disabled persons, assistance given by the, Senate Bill No. 270.
- State-wide first aid meets, to prevent accidents in extrahazardous employment, House Bill No. 224.

Department of Licenses:

- Administer act relative to financial responsibility of owner of motor vehicles, Senate Bill No. 25.
- Auto mechanics' licensing act, duties of, relative to, Senate Bill No. 182.
- Billboard advertising, act to be administered by, Senate Bill No. 221.
- Electrical appliance installation firms, issuance of license to same, Senate Bill No. 32.
- Fuel oil excise tax, to be collected by, Senate Bill No. 128.
- Liquid or liquefiable petroleum products to be taxed, act administered by, Senate Bill No. 227.
- Motor vehicle unlicensed for current year, Director may grant special permit to move, on highways from one point to another, House Bill No. 473.
- Oil and gas leases, license for selling of issued by, Senate Bill No. 321.
- Painting contractors and journeymen to be licensed, House Bill No. 223.
- Permits relative to drilling for gas and oil, Senate Bill No. 20.
- Pound nets, license for operation of, to be secured from, Senate Bill No. 295.
- Real estate brokers' license, issued by, Senate Bill No. 290.
- Uniform for-rent motor vehicle safety responsibility act, administration of, Senate Bill No. 133.
- Veterinarians, duties of Director relating to examinations for, House Bill No. 393.

Department of Public Service:

- Appropriating \$300,000.00 for investigation of telephone utilities, House Bill No. 524.
- Bus drivers' hours, act to be administered by, Senate Bill No. 212.
- Electrical lines, interference with telephone and telegraph lines, elimination of, Senate Bill No. 439.
- Electrical system owned by public utility districts, under regulations of, Senate Bill No. 480.
- Investigation of, resolution regarding.....Page 351
- Public utilities manufacturing, transmitting, or selling electricity for hire, to be subject to regulations of, Senate Bill No. 256.
- Public utilities to pay cost of certain investigations, valuations and appraisals, House Bill No. 535.
- Public utility service, resale of any must secure authority from, Senate Bill No. 280.
- Railroads to equip log hauling cars with reflector buttons, Senate Bill No. 112.
- Taxation on firms, persons, corporations under, Senate Bill No. 225.
- Telephone and telegraph service, interference by electrical lines, to be eliminated, House Bill No. 536.
- Telephone, approval of metered service, Senate Bill No. 11.
- Water districts operating water supply systems, regulations governed by, Senate Bill No. 386.

Department of Social Security:

- Abolishing Division of Unemployment Compensation and Employment Service, Senate Bill No. 68.
- Appeals to, by one dissatisfied with decision on his application for assistance, Senate Bill No. 249.

Department of Social Security—Continued:

- Appointment of Director of.....Page 424
 Assistance given old-age, citizens of the United States, Senate Bill No. 132.
 Appropriations for, given priority over other appropriations, Senate Bill No. 470.
 Artificial limbs, eyes, etc., to be provided the needy, by, Senate Bill No. 459.
 Blind investigations and hearings, costs on appeal to be paid by the, Senate Bill No. 153.
 Blind recipient may appeal to, Senate Bill No. 187.
 Confirmation of appointment of Director of.....Page 457
 Determine what persons are in need of public assistance, Senate Bill No. 47.
 Division of the Blind, creation of home industries revolving fund, Senate Bill No. 228.
 Investigation and audit of, by joint legislative committee, House Joint Resolution No. 4.
 Old-age assistance, rules and regulations, to be filed with Secretary of State, Senate Bill No. 206.
 Old-age assistance, to be provided for by, Senate Bill No. 46.
 Physically disabled persons, care of by, Senate Bill No. 270.
 Public assistance to be given to needy persons, Senate Bill No. 427.
 Reappropriation for, Senate Bill No. 433.
 Transferring certain duties to office of Unemployment Compensation and Placement, Senate Bill No. 68.
 Unemployment compensation act to be enforced by, Senate Bill No. 214.

Department of Unemployment Compensation and Placement:

- Appointment of Commissioner of.....Page 424
 Confirmation of appointment of Commissioner of.....Page 458
 Creation of office of, duties of, Substitute Senate Bill No. 219.
 Establishment of, duties and officers, Senate Bill No. 219.
 Replacing Division of Unemployment Compensation and Employment service, Senate Bill No. 68.

Deposit Interest Fund:

- Appropriation from, to charge off "deposits in closed banks" item, House Bill No. 298.

Deposits in Closed Banks:

- Appropriation from deposit interest fund to charge off item, House Bill No. 298.

Depositaries:

- State depositaries to pledge payment on demand or at specified future date, House Bill No. 299.

Deputies:

- Civil service regulations for, of sheriffs' offices, Senate Bill No. 294.
 Duties of, in respect to maintaining public peace, Senate Bill No. 144.

DesChutes Waterway:

- Appropriation for, Senate Bill No. 433.
 Vacation of, in city of Olympia, Senate Bill No. 257.

Diking Districts:

- Authorizing, to improve rivers which overflow and damage lands within boundaries; may contract with other districts for same, House Bill No. 565.

Diking, Drainage, or Sewerage Improvement District:

- Assessment of lands acquired by foreclosure and sold under contract, House Bill No. 120.

Dills, C. H.:

- Relief of, appropriation for, Senate Bill No. 455.

Director of Conservation and Development:

- Appointment ofPage 424
 Confirmation of appointment of.....Page 457

Director of Social Security:

Appointment ofPage 424
 Confirmation of appointment of.....Page 457

Disability Fund:

Physically disabled persons' products, sale of, Senate Bill No. 270.

Discovery Bay:

Primary state highway from, to shore of Hood Canal, Senate Bill No. 296.
 Proposed state highway via, from Bly to Seattle, letter of transmittal of surveys by
 Department of Highways.....Page 112

Disease:

Appropriating \$30,000 to eradicate rabies among dogs and sleeping sickness among
 horses, House Bill No. 277.
 Livestock, indemnities for slaughtering diseased, House Bill No. 132.
 Occupational diseases, compensation for disability or death incurred by employee
 resulting from, House Bill No. 100.
 Prophylactics, requiring licensed wholesaler and retailer to sell, for treatment or
 prevention of venereal diseases, House Bill No. 60.

Ditches:

Water rights and ditches, regulating loan, exchange, or lease of, in water districts,
 House Bill No. 477.

Division of Savings and Loan:

Motor vehicles, to supervise licensing of businesses making loans on, House Bill
 No. 96.

Division of the Blind:

Assistants to be appointed in each county to handle investigations of applications,
 Senate Bill No. 153.
 Home industries revolving fund, for advancing cost of production and wages of
 the blind, Senate Bill No. 228.
 Physically disabled expenditures report to be furnished by, Senate Bill No. 270.
 Savings and loan associations, conversion of federal to state, House Bill No. 188.

Division of Vocational Rehabilitation:

Blind may be permitted to earn under, \$35.00, Senate Bill No. 187.

Divorce:

Support of minor children, Senate Bill No. 398.

Docks:

Bonds issued by municipalities for construction of, Senate Bill No. 286.
 Establishment of dockyards on lands granted to United States by this state, Sen-
 ate Bill No. 272.

Dogs:

Damages, providing for recovery of, by persons bitten; creating liability of owner,
 House Bill No. 23.
 Field trials for hunting, periods of, regulated by State Game Commission, Senate Bill
 No. 220.
 Owners of unmuzzled, liable for injuries inflicted within areas of carrier-delivery
 mail service, Senate Bill No. 54.
 Rabies, appropriation to eradicate, House Bill No. 277.
 Race meets, creation of Dog Racing Commission, Senate Bill No. 339.

Domestic Insurance Companies:

Capital stock of, may be invested in certain leases, House Bill No. 385.

Donations:

Inheritance tax, exemption of, on certain bequests for charitable purposes which
 pass out of state to certain societies, House Bill No. 425.

Dope (see Narcotics).

Drainage:

Construction of systems, rules and regulations to be observed, Senate Bill No. 306.

Drugs:

Amytal, luminal, veronal, and derivatives, prohibiting and regulating sale of, House Bill No. 325.

False advertisement of, prohibited, Senate Bill No. 315.

Medical prescriptions, preservation and inspection of drug and, House Bill No. 58.

Prescription required to sell amytal, luminal, veronal, etc., or their derivatives, House Bill No. 11.

Prophylactics, retailers or wholesalers of certain, must have licenses, House Bill No. 60.

Drumheller, Senator Joseph:

Resolution by, regarding closing business of Senate.....Page 807

Duggan, Senator Fred S.:

Appointment of, on committee to confer with Oregon committee regarding marriage license lawsPage 149

Resolution by, regarding amendment of Senate Rule No. 65.....Page 81

Resolution by, regarding appointment of Lieutenant-Governor Victor A. Meyers as delegate to Fourth General Assembly of Council of State Governments...Page 60

Resolution by, regarding compiling Senate Journal.....Page 808

Resolution by, regarding revision of Senate committees.....Page 654

Eastern State Custodial School:

Name of, to replace title of State Custodial School, Senate Bill No. 403.

Eastern Washington College of Education:

Appropriation for, Senate Bill No. 433.

Cigarette tax receipts .11% to be paid to fund of, Senate Bill No. 260.

Retirement system to apply to teachers of, Senate Bill No. 188.

Eaton, Representative:

Appointment of, as House member of Golden Jubilee Committee.....Page 104

Education:

Adults with defective hearing to have free instruction in lip reading, House Bill No. 2.

Children of soldiers, sailors, and marines killed during World War to have educational opportunities, House Bill No. 78.

Colleges and universities to display United States flag on campuses, House Bill No. 105.

Common school fund, five-mill maximum tax on all state taxable property toward, House Bill No. 184.

Creation of State Board for Vocational, Senate Bill No. 76.

Holiday, November 11, to be school holiday, House Bill No. 101.

Indians, disposition of certain moneys for education of, House Bill No. 438.

Institutes, providing for optional attendance by teachers, House Bill No. 40.

Junior college districts and school districts to be selected for operation of experimental program including vocational and non-vocational education, House Bill No. 283.

Placing public forum discussion groups on same basis as night school attendance, for fund apportionment purposes, Senate Bill No. 458.

Reorganization of school districts, Senate Bill No. 335.

School teachers, requirements preparatory to teaching, Senate Bill No. 445.

Teachers' Tenure Commission; continuous employment of certificated, House Bill No. 121.

Transportation routes, reimbursement by state, Senate Bill No. 285.

Edwards, Senator A. E.:

Resolution by, extending thanks to citizens of Olympia.....Page 806

Eggs:

Regulating sale of eggs, repealing certain laws, Senate Bill No. 8.

Elections:

- Annexing county territory to a nearby county to which it is contiguous, submission to voters, Senate Bill No. 388.
- Campaign receipts and expenditures, filing of statement of, Senate Bill No. 426.
- City charters, amendment or revision of, House Bill No. 44.
- Consolidation of precincts in third and fourth-class cities for city election, House Bill No. 111.
- Constitutional amendment limiting liability of stockholders in corporations, Senate Joint Resolution No. 8.
- Constitutional amendment pertaining to limiting of property tax levies, Senate Joint Resolution No. 4.
- Constitutional amendment relative to apportionment of districts regarding legislative representation, Senate Joint Resolution No. 15.
- Constitutional amendment relative to income taxes, Senate Joint Resolution No. 14.
- Corporation or unincorporated association to file statement of costs involved in supporting or defeating a proposal, Senate Bill No. 205.
- Eligibility of candidates in primary, Senate Bill No. 55.
- Establishment of agricultural prorated marketing zones, determination by ballot, Senate Bill No. 336.
- Establishment of election precincts, Senate Bill No. 415.
- Fire commissioners, procedure for electing, in fire protection districts, House Bill No. 81.
- Issuance of water revenue bonds to be approved by voters, Senate Bill No. 361.
- Irrigation district notices to consist of, Senate Bill No. 376.
- Party committees, vice-chairman to be opposite sex from chairman, House Bill No. 300.
- Port commissioners, regulations to be observed, Senate Bill No. 387.
- Public officials holding elective offices, not eligible to serve on any election board, Senate Bill No. 309.
- Public utility district commissioners, Senate Bill No. 148.
- Public utility district commissioners, Senate Bill No. 198.
- Public utility districts, ownership of to be determined by ballots, Senate Bill No. 341.
- Purchase of public utilities submitted to electors, Senate Bill No. 230.
- Recapitulation of votes cast in general, November 8, 1939.....Page 8
- Recount of ballots and recanvass of votes, procedure following, Senate Bill No. 238.
- Registration, County Auditor to be registrar for rural precincts; City Clerk, for city precincts, House Bill No. 33.
- Relating to elections, amending certain sections, Senate Bill No. 14.
- Salaries of legislature members, to be determined, Senate Joint Resolution No. 16.
- Sewer project, submitted to electors, Senate Bill No. 305.
- Sewer project, submitted to electors, Senate Bill No. 306.
- Taxation of real and personal property to be limited to forty mills, submission to voters, Senate Bill No. 487.

Electrical:

- Amending law relating to electrical construction, Senate Bill No. 32.
- Bonds issued by municipalities for construction of electric power, Senate Bill No. 286.
- Extrahazardous employment, installing and servicing radios and electrical refrigerators defined as, House Bill No. 91.
- Interference of, lines with telephone and telegraph lines, Senate Bill No. 439.
- Municipal corporations required to conform to state laws relative to, appliances, Senate Bill No. 348.
- Permit for wiring, secured from department of labor and industries, Senate Bill No. 317.
- Public utility districts, operation of system, under regulations of department of public service, Senate Bill No. 480.
- Selling of electricity, by public utilities to be regulated by Department of Public Service, Senate Bill No. 256.
- Telephone and telegraph service, interference by electrical lines, to be eliminated, House Bill No. 536.
- Water districts given power to construct and maintain street lighting systems, Senate Bill No. 358.

Electrical Appliances:

- Installation of wiring, permit to be secured for, Senate Bill No. 317.
- Licenses required for installation of same, Senate Bill No. 32.
- Municipal corporations required to conform to state laws relative to, Senate Bill No. 348.

Ellensburg Normal School Dormitory Building Corporation:

- Munson Hall and Sue Lombard Hall, purchased by state from, Senate Bill No. 127.

Employees:

- Aliens and nonresidents prohibiting employment of, on public works, House Bill No. 161.
- Assistant Attorney General to be assigned to Division of Municipal Corporations, Senate Bill No. 252.
- Bus drivers limited to a 10-hour, 210-mile shift, Senate Bill No. 212.
- Civil service regulations, in certain cities and towns, Senate Bill No. 137.
- Civil service system to be established for state and county, Senate Bill No. 177.
- Cold storage locker, health examination for, Senate Bill No. 413.
- Compensation of workmen injured in extrahazardous employment, Senate Bill No. 100.
- Constable, office of, in class A counties and first class cities, abolished, Senate Bill No. 318.
- County commissioners, tenure of office of, Senate Bill No. 119.
- County officers, term of office of, Senate Joint Resolution No. 1.
- Elective public officials not allowed to serve on election board, Senate Bill No. 309.
- Group life insurance covering, regulations, Senate Bill No. 372.
- Hours of, in county and city offices, Senate Bill No. 59.
- Hours of, in state and county offices, Senate Bill No. 62.
- Hours of, in county and city offices, Senate Bill No. 64.
- Hoisting engineer to pass examination for competency and physical fitness, Senate Bill No. 183.
- Household and domestic, hours and pay, Senate Bill No. 107.
- Industrial insurance act, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 190.
- Liquor store, to sell wine only to properly licensed retailers, Senate Bill No. 271.
- Macaroni factory, health examination certificates for, Senate Bill No. 408.
- Mayor, attorney, clerk, treasurer in cities of third class, term of office, Senate Bill No. 215.
- Military leave entitled to by state, county and city, Senate Bill No. 422.
- Non-certificated school employees to be included in retirement system, Substitute House Bill No. 29.
- Occupational disease, compensation for disability or death incurred by employee resulting from, House Bill No. 100.
- Plumbing inspector, experience necessary to be, Senate Bill No. 326.
- Public utility district commissioners, term of office of, Substitute Senate Bill No. 198.
- Radios and electrical refrigerators, installing and servicing of, defined as extra-hazardous, House Bill No. 91.
- Real estate salesmen, regulations concerning, Senate Bill No. 290.
- Removing jurisdiction of courts in labor disputes, Senate Bill No. 287.
- Salaries of officers of cities of the second class, Senate Bill No. 65.
- School employees, retirement system for, House Bill No. 29.
- School teachers not to be forced to join clubs or organizations, Senate Bill No. 292.
- Senate (see **Employees, Senate**).
- Sheriffs' departments, to be placed under civil service regulations, Senate Bill No. 294.
- State Bakery Inspector prohibited from appointment if employee of a bakery or association, Senate Bill No. 50.
- State, county and city-owned cars and property to be used only for official business, House Bill No. 64.
- State-wide first aid meets, participation in, to prevent accidents in extrahazardous industry, House Bill No. 224.
- Thirty-hour week for employees on state public works projects, Senate Bill No. 18.
- Unemployment compensation act to cover employers hiring one, Senate Bill No. 214.
- Unemployment compensation payments to, Substitute Senate Bill No. 219.
- Wages, and salaries of, payment of to be enforced by prosecuting attorney, Senate Bill No. 303.

Employees—Continued:

- Wages earned by deceased, prior to death to be paid to nearest kin, House Bill No. 221.
- Wages, underpayment of agreed, and certain deductions from, unlawful, House Bill No. 128.
- Washington State Patrol, to receive compensation while relieved of duty due to injury or sickness, Senate Bill No. 333.
- Washington State Poultry Congress Committee, salaries of, Senate Bill No. 384.
- Weekly benefit amount to be paid, under unemployment compensation act, Senate Bill No. 219.

Employees' Retirement System:

- City employees of first-class cities to receive pensions, House Bill No. 90.

Employees, Senate:

- Extending thanks to, resolution regarding.....Page 807
- Granted permission to use Senate chamber for program.....Page 180
- To be listed in Senate Journal, regulation regarding.....Page 784
- To be on payroll until day of final adjournment, resolution regarding.....Page 785

Employers:

- Industrial insurance act, creating surplus fund for workmen, whose medical aid contracts have expired, House Bill No. 190.
- Industrial insurance, medical aid and occupational disease fund, classification of and rates of contribution to, by employer, House Bill No. 191.
- State-wide first aid meets, participation in, to prevent accidents in extrahazardous industry, House Bill No. 224.
- Unemployment compensation act to be observed even if only having one employee, Senate Bill No. 214.
- Wages earned by deceased employee prior to death to be paid to nearest kin, House Bill No. 221.
- Wages, underpayment of agreed, to employees, and certain deductions from unlawful, House Bill No. 128.

Employment:

- Aliens and nonresidents prohibiting employment of, on public works, House Bill No. 161.
- Industrial insurance act, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 190.
- Industrial insurance, medical aid and occupational disease fund, classification of and rates of contribution to, by employer, House Bill No. 191.
- Occupational disease, compensation for disability or death incurred by employee resulting from, House Bill No. 100.
- Payment of wages or compensation for labor in private, to be enforced by prosecuting attorney, Senate Bill No. 303.
- Physically disabled given assistance in finding, through Department of Social Security, Senate Bill No. 270.
- Radios and electrical refrigerators, installing and servicing of, defined as extrahazardous, House Bill No. 91.
- Seasonal to be determined for various districts for purpose of unemployment compensation benefits, Senate Bill No. 219.
- Senate committee on, report of.....Page 47
- Thirty-hour week for employees on state public works projects, Senate Bill No. 18.
- Wages earned by deceased employee prior to death to be paid to nearest kin, House Bill No. 221.
- Wages, underpayment of agreed, to employees, and certain deductions from unlawful, House Bill No. 128.

Engineering:

- Surveys, public record of, required in certain cases, House Bill No. 315.

Ernst, Charles F.:

- Appointment of, as Director of Department of Social Security.....Page 424
- Confirmation of appointment of.....Page 457

Estates:

- Appraisement dispensed with if estate includes only money or bank deposits, House Bill No. 267.
- Bonds of administrators, guardians, executors, and trustees, providing for reduction of; notice of citations in case of default, House Bill No. 47.
- Creditors, filing publication of notice to, by executors or administrators, House Bill No. 9.
- Creditors of deceased persons, authorizing to file demand for notice of proceedings by administrators, etc., House Bill No. 68.
- Creditors, published notice to, of resignation of executor or administrator, House Bill No. 8.
- Guardians, duties and liabilities of, Senate Bill No. 16.
- Inheritance tax, coordinating laws relating to, House Bill No. 425.
- Letters testamentary, issuance of, or of administration without bond in some instances, House Bill No. 10.
- Prisoners having, to be charged maintenance assessment of sixty cents per day, Senate Bill No. 314.
- Wages earned by deceased employee prior to death to be paid to nearest kin, House Bill No. 221.

Ethiopian Race:

- Marriage of white race with, prohibited, Senate Bill No. 293.

Eulogies:

- On deceased former members of Senate.....Pages 225-233

Everett:

- Mukilteo to, establishment of primary state highway, Senate Bill No. 473.

Examinations:

- Candy employees, health, regulations to be observed, Senate Bill No. 409.
- Chiropractors, fees for, Senate Bill No. 322.
- Cold storage locker employees, health, Senate Bill No. 413.
- Foods and products, by Department of Agriculture, Senate Bill No. 315.
- Fraternal benefit societies, admitting to membership certain persons without medical examinations, House Bill No. 368.
- Macaroni factory employees' health, Senate Bill No. 408.
- Painting contractors and journeymen required to pass before acquiring license, House Bill No. 223.
- Plumbers', health, Senate Bill No. 416.
- State Auditor, of all departments to be under supervision of, Senate Bill No. 276.
- Vehicle operator's license, examinations for, House Bill No. 473.
- Veterinarians, requiring to pass state examination before being issued license, House Bill No. 393.

Excise Tax:

- Butter substitutes, 10c per pound, Senate Bill No. 417.
- Cold storage locker permits, license, Senate Bill No. 413.
- Music composition, filed with Secretary of State, Senate Bill No. 414.
- Petroleum product distributor must pay, each month to State Treasurer, Senate Bill No. 227.
- Plumbers', to be paid to Department of Health, Senate Bill No. 416.
- Receipt of college, handling of by State Auditor, Senate Bill No. 424.

Executive Pardons:

- Letter from Governor regarding those granted.....Page 258

Executors:

- Bonds, providing for reduction or substitution of; control of funds; notice of citations in case of default, House Bill No. 47.
- Creditors, filing publication of notice to, by executors, House Bill No. 9.
- Creditors, published notice to, of resignation or removal of executors, House Bill No. 8.
- File gross income tax returns on an estate, Senate Bill No. 192.
- Inheritance tax, coordinating law relating to, House Bill No. 425.

Executors—Continued:

- Letters testamentary, issuance of, or of administration without bond in some instances, House Bill No. 10.
- Probate of estates, authorizing creditors of deceased persons to file demand for notice of proceedings by, House Bill No. 68.
- Shares of stock, making uniform law regulating transfer, indorsement and delivery of, House Bill No. 372.

Expert Witness:

- Fees to be paid, of chemistry departments of University of Washington and Washington State College, Senate Bill No. 441.

Explanations of Votes:

- Atkinson, Senator N. P., on Senate Bill No. 168.....Page 547
- Roberts, Senator Joseph D., on Substitute Senate Bill No. 200.....Page 503
- Roberts, Senator Joseph D., on Senate Bill No. 79.....Page 145
- Rosellini, Senator Albert D., on Senate Bill No. 427.....Page 571
- Sieler, Senator Herbert H., on Senate Bill No. 427.....Page 571

Explosives:

- Blasting in settled communities, 48 hours' notice to be given, Senate Bill No. 195.

Extortion:

- Crime of, punishable by life imprisonment, Senate Bill No. 216.

Extrahazardous Employment:

- First aid meets to be state-wide to promote accident prevention in, House Bill No. 224.
- Industrial insurance act, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 190.
- Industrial insurance, medical aid and occupational disease fund, classification of and rates of contribution to, by employer, House Bill No. 191.
- Occupational disease, compensation for disability or death incurred by employee resulting from, House Bill No. 100.
- Radios and electrical refrigerators, installing and servicing defined as, House Bill No. 91.
- Workmen, compensation for those injured, and for their dependents in case of death, Senate Bill No. 100.

Fairmont Cemetery Association:

- State lands, conveyance of certain, in Spokane county to, House Bill No. 109.

Fairs:

- Agricultural products, providing for district fairs for display of, also state 4-H club fair, House Bill No. 236.
- Games of chance lawfully operated at, license for same, Senate Bill No. 237.
- Pacific Northwest Centennial Exposition to be held in Seattle in 1942, House Bill No. 156.

Farms:

- Clarke-McNary act providing Federal funds for windbreaks, shelter belts and farm wood lots; Federal funds also provided under cooperative farm forestry act, House Bill No. 289.
- Game commission, one member to be farm owner from east of Cascades; one from west, House Bill No. 86.
- Preservation of lands of, under soil conservation districts laws, Senate Bill No. 343.

Farquharson, Senator Mary U.:

- Appointment of, on committee to confer with Oregon committee in regard to marriage license laws.....Page 149
- Protest regarding vote on Senate Bill No. 350.....Page 556
- Resolution by, regarding investigation of Metropolitan Building Company leasePages 389-10

Federal Aid:

- Acceptance of, by state for schools and libraries, Senate Bill No. 174.

Federal Relief Projects:

State to assist counties, municipalities and school districts with financing for, Senate Bill No. 467.

Federation Park Fund:

Establishment of, from sale of Big Tree State Park, Senate Bill No. 371.

Feeble-Mindedness:

Deportation of persons afflicted with, Senate Bill No. 115.

Fees:

Agricultural prorated marketing zones, support of commission, Senate Bill No. 336.
 Amending present law relating to fees in county law libraries, Senate Bill No. 60.
 Appraisers, fee required for, on estates of \$5,000.00 or more, House Bill No. 425.
 Auto mechanics' licensing act, examination, Senate Bill No. 182.
 Beer retailers', for selling same in bottles issued only to certain license holders, Senate Bill No. 217.
 Boilers, fee for inspection of, House Bill No. 138.
 Bond, to be furnished by County Auditor covering collection of motor vehicle, Senate Bill No. 124.
 Chattel mortgage, filed with Director of Licenses, Senate Bill No. 327.
 Cold storage locker permits, license, Senate Bill No. 413.
 Common and contract carriers, to be paid by, Senate Bill No. 184.
 Confectioner's payment to Department of Agriculture, Senate Bill No. 409.
 Delinquent taxes, payment of, to parties collecting same, Senate Bill No. 262.
 Dog racing, \$100.00 for each day's races, Senate Bill No. 339.
 Electric wiring permit to be secured from Department of Labor and Industries, Senate Bill No. 317.
 Firms engaged in games of chance or skill, payment of, \$2,500.00, Senate Bill No. 237.
 Fuel oil, excise tax upon distributor of, Senate Bill No. 128.
 Garnishment, to be paid in advance of proceedings, Senate Bill No. 139.
 Loans on motor vehicles, fees for licensing business making, House Bill No. 96.
 Meat inspection, fees which may be collected for Washington state meat seals, House Bill No. 83.
 Milk dealers' license, Senate Bill No. 353.
 Music composition, filed with Secretary of State, Senate Bill No. 414.
 Nursery stock, licensed nurserymen from other states to ship without license fees, House Bill No. 110.
 Operator's license, 25¢ from each, to go into state parks and parkway fund, House Bill No. 432.
 Plumbers', to be paid to Department of Health, Senate Bill No. 416.
 Process service, state departments exempt from making payment of, Senate Bill No. 453.
 Receipt of college, handling of by State Auditor, Senate Bill No. 424.
 Small loans, for the making of, Senate Bill No. 213.
 Smelt, candlefish or herring license, for each dip-bag net, Senate Bill No. 108.
 Trucks, trailers and semi-trailers, increasing fees on certain, House Bill No. 397.
 University of Washington, designating what fees will be spent for, House Bill No. 561.
 Veterinarians, fees for examinations and licenses, House Bill No. 393.
 Water power, fees by claimants of, to be paid into reclamation revolving fund, House Bill No. 177.
 Waterworks systems owned by cities; supplying same outside corporate limits, Senate Bill No. 274.
 Wildlife-restoration projects, funds from hunting license fees to be used for, House Bill No. 231.
 Wineries, fees on domestic, to be according to gallonage manufactured, House Bill No. 172.

Ferries:

Washington Toll Bridge Authority empowered to establish, Senate Bill No. 253.

Ferryman, Senator John H.:

Appointment of, on committee for Golden Jubilee celebration.....Page 95
 Appointment of, on committee to inform Governor of adjournment *sine die*.....Page 810
 Resolution by, extending thanks to pastors of Olympia.....Page 806

Fertilizer:

Department of Agriculture, registration of commercial fertilizer, House Bill No. 351.

Fink, John Brooke:

Appointment of, as Director of Conservation and Development.....Page 424
Confirmation of appointment of.....Page 457

Finucane, Representative:

Appointment of, as House member of Golden Jubilee Committee.....Page 104

Fertilizer:

Department of Agriculture, registration of commercial fertilizer, House Bill No. 351.

Fire:

Abatement of fire hazards by owners, Senate Bill No. 103.
Administration of fire insurance act, by Insurance Commissioner, Senate Bill No. 123.
Cities and towns, creation of fire-protection districts outside of, House Bill No. 81.
Insurance to be carried on all state or municipal corporation property, Senate Bill No. 123.

Firemen:

Civil service, cities and towns to provide regulations for enactment of act, Senate Bill No. 137.
Firemen's relief and pension fund, full-paid members and volunteers of department to come under, House Bill No. 35.

First Aid Meet:

Extrahazardous industries, for employers of, to demonstrate first aid rescue work and safety first industrial practices, House Bill No. 224.

Fish:

Additional open and closed hunting seasons, Senate Bill No. 278.
Construction of fixed appliances for the catching of, repealing certain sections, Senate Bill No. 267.
Exempting resident citizens over age of sixty-five from the necessity of securing fishing or hunting license, Senate Bill No. 9.
Floating reduction plants, licensing those processing certain fish, House Bill No. 409.
Foreign, to be registered with State Game Commission, Senate Bill No. 365.
License for commercial taking of smelt, candlefish or herring, Senate Bill No. 108.
License for handling of tuna, Senate Bill No. 109.
Parties of two or more, regulations to be observed, Senate Bill No. 364.
Pilchards, floating cannery or reduction plant for reducing of, prohibited, Senate Bill No. 382.
Pound nets and fish traps for, establishment of in vicinity of Whatcom county to Patos Island, Senate Bill No. 429.
Pound nets, use of in certain areas, Senate Bill No. 405.
Pound nets, use of in waters of Puget Sound district, Senate Bill No. 295.
Prohibiting of fishing for commercial purposes in any waters of the Puget Sound, Senate Bill No. 158.
Regulations concerning the taking and catching of, in certain waters, Senate Bill No. 163.
Resources of, industry to be determined by Fishing Resources Survey Commission, Senate Bill No. 452.
Salmon and trout, preservation of, creation of fund to administer Federal monies, Senate Bill No. 412.
Seek permission of owner before, on other's property, Senate Bill No. 74.
Shellfishes, rules and regulations relative to, Senate Bill No. 93.
Shellfishes, sale or use of, for purpose of feeding same to fur-bearing animals, Senate Bill No. 194.
Sokulk Indians permitted to, within certain designated areas on Columbia river, House Bill No. 327.
Storage of, regulations to be observed, Senate Bill No. 363.
Taking of, in parties of two or more, regulations to be observed, Senate Bill No. 364.
Taxation, exempt from while stored if shipped from state within certain time, House Bill No. 264.

Fish Docks:

Construction and maintenance of, in cities of fourth class, Senate Bill No. 383.

Fisheries Fund:

Appropriations from, for relief of certain individuals, firms, and corporations, Senate Bill No. 433.

Fish trap or pound net taxes, receipts to go into, Senate Bill No. 429.

Oyster reserve fund, transferring to, House Bill No. 253.

Fishing Resources Survey Commission:

Study and survey of fish resources, members to be appointed by Governor, Senate Bill No. 452.

Flags:

Colleges and universities, United States flag to be displayed on campuses, House Bill No. 105.

Observance of Flag Week in all schools, homes, Senate Joint Resolution No. 13.

Floating Cannery:

Pilchards, for reduction of, prohibited, Senate Bill No. 382.

Floating Reduction Plants:

Fish, licensing plants processing certain, House Bill No. 409.

Flood Control:

Construction of dams, basins, dikes, levees, bulkheads, etc., by certain counties, Senate Bill No. 320.

Diking districts, authorizing, to improve rivers which overflow and damage lands within boundaries; may contract with other districts for same, House Bill No. 565.

Directors of, district shall be ex-officio members of the governing body of such city or town, Senate Bill No. 161.

Division of, established in Department of Conservation and Development, Senate Bill No. 344.

Drainage along roads subject to periodic, Senate Bill No. 442.

Soil Conservation Committee, assistance to be given relative to, Senate Bill No. 343.

Supervisor of Hydraulics' authority over, projects, Senate Bill No. 110.

Flood Control Fund:

Establishment of, in certain counties, Senate Bill No. 320.

Flood Control Maintenance Account:

Establishment of, for construction of maintaining dams, levees, bulkheads, basins, etc., Senate Bill No. 320.

Flood Control Maintenance Fund:

Establishment of, in various cities and towns for, expenses of flood control, Senate Bill No. 344.

Flour:

Taxation, exempt from, while stored if shipped from state within certain time, House Bill No. 264.

Flowers (see Nursery Stock).**Food and Drug Fund:**

Washington food, drug and cosmetic act, receipts from to be deposited in, Senate Bill No. 315.

Foods:

Candy, manufacture and sale of, health regulations to be observed, Senate Bill No. 409.

False advertisement of, prohibited, Senate Bill No. 315.

Macaroni and noodles, regulations to be observed in manufacture and sale of, Senate Bill No. 408.

Meat inspection provided for, House Bill No. 83.

Preserving of, by state processing plants, Senate Bill No. 175.

Foreclosures:

- Actions for, of delinquent taxes on real property, procedure to follow, Senate Bill No. 477.
- Diking, drainage, or sewerage improvement districts, assessment of lands acquired by foreclosure and sold under contract, House Bill No. 120.
- Property acquired by tax, may be converted into public parks, Senate Bill No. 347.
- Sale of real property, for delinquent taxes, procedure to be followed, Senate Bill No. 478.

Forest Reserves:

- Funds from, one-half to go to public schools, Senate Bill No. 323.

Forests:

- Bonds, for acquiring, seeding, reforestation, and administering lands, for, Senate Bill No. 98.
- Cooperative management of state lands with national forest and private timber lands in a sustained yield management unit, Senate Bill No. 456.

Forts:

- Establishment of, by United States on lands granted by this state, Senate Bill No. 272.

Foster, Chapin D.:

- Introduced at Golden Jubilee Session.....Page 335

Four Corners:

- Chimacum to, establishment of primary state highway, Senate Bill No. 479.

4-H Clubs:

- Fairs, providing for district, as preliminary for state 4-H club fair, House Bill No. 236.

Fourth Estate:

- Extending thanks to, resolution regarding.....Page 806

Fourth General Assembly of Council of State Governments:

- Appointment of Victor A. Meyers as delegate to.....Page 60
- Resolution regardingPage 60

Fraternal Benefit Societies:

- Medical examinations, admitting to beneficiary membership certain persons, House Bill No. 368.

Free Public Library Fund:

- Library purposes, custody of treasurer of the governmental unit, Senate Bill No. 135.

Freight Rates:

- Payment of fees for collection of excess, charged against the state, Senate Bill No. 262.

Fresh Pursuit:

- Peace officers from other states given right to pursue and arrest prisoner in this state and vice versa, House Bill No. 244.

Fruit:

- Sale of deciduous tree fruit prohibited unless owned or mortgaged to person selling, Substitute House Bill No. 226.
- Taxation, exempt from, while stored if shipped from state within certain time, House Bill No. 264.

Fuel Oil:

- Excise tax upon, of 1½¢ per gallon, Senate Bill No. 128.

Funds:

- Appropriation of \$1,400,000 for state school equalization, Senate Bill No. 155.
- Cities, designating what monies coming from motor vehicle fund may be used for Substitute House Bill No. 392.
- College current fund, abolishing, creating Washington State College fund, House Bill No. 247.

Funds—Continued:

- Common school fund, 5-mill maximum tax on all state taxable property toward, House Bill No. 184.
- County salary fund, creation of, in all counties, House Bill No. 39.
- Current state school suspense fund, abolishing; transferring monies to General Fund, House Bill No. 248.
- Deposit interest fund, appropriation from, to charge off "deposits in closed banks" item, House Bill No. 298.
- Depositaries of state funds to pledge payment on demand or at specified future date, House Bill No. 299.
- Establishment of, for paroled or released persons of state penitentiary or reformatory, Senate Bill No. 3.
- Firemen, full-paid and volunteer members of department to come under firemen's relief and pension fund, House Bill No. 35.
- Fire-protection districts, creation of expense, coupon warrant, contract, and local improvement district No..... funds for, in county treasurer's office, House Bill No. 81.
- Flood control maintenance, establishment of, Senate Bill No. 344.
- Forestry Division and State College to receive Federal, under Clarke-McNary act and cooperative farm forestry act, House Bill No. 289.
- Improvement guaranty, establishment of by water districts, Senate Bill No. 440.
- Indians, disposition of certain moneys for education of, House Bill No. 438.
- Industrial insurance act, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 190.
- Industrial insurance, medical aid and occupational disease funds, classification of and rates of contribution to, by employer, House Bill No. 191.
- Invest, in banks, trust companies, insured by Federal Deposit Insurance Corporation, Senate Bill No. 223.
- Investment of, in obligations of national mortgage associations or in debentures issued by the Federal Housing Administration, to be unlawful, Senate Bill No. 141.
- Motor vehicle license insurance, Senate Bill No. 117.
- Operator's license, 25¢ from each to go into state parks and parkways fund, House Bill No. 432.
- Oyster reserve fund, transferring to fisheries fund, House Bill No. 253.
- Painters' license fund, creation of, House Bill No. 223.
- Payment of delinquent local improvement district bonds to be paid out of special revolving, Senate Bill No. 157.
- Personal property sold at public auction in first and second class cities; revenue from, to be deposited in police pension fund or city current expense fund, House Bill No. 314.
- Real estate brokers' establishment of, Senate Bill No. 290.
- Reclamation revolving fund, fees by claimants of water power to be paid into, House Bill No. 177.
- Reserve, for payment to workmen in case of disability, Senate Bill No. 100.
- Retained percentage of 15% on contractor's estimates, Senate Bill No. 351.
- Salary fund, authorizing establishment of, in first-class cities, House Bill No. 458.
- Sanipractic, establishment of, Senate Bill No. 263.
- State department, regulated by governor, Senate Bill No. 423.
- Shoreland improvement, abolished, Senate Bill No. 70.
- State athletic fund, abolishing; transferring money to general fund, House Bill No. 249.
- State fire revolving, administered by state insurance commissioner, Senate Bill No. 123.
- State school relief, for relief of needy school districts, Senate Bill No. 284.
- State schools, appropriation of \$3,600,000 for, Senate Bill No. 156.
- Teachers' tenure revolving fund, creation of, House Bill No. 121.
- Teachers' tenure revolving, expenses of tenure commission, Senate Bill No. 121.
- Veterans' compensation bond retirement fund, abolishing; transferring to general fund, House Bill No. 250.
- Veterans, time for application to veterans' compensation retirement fund extended to January 1, 1941, House Bill No. 334.
- Washington utility district authority, establishment of, Senate Bill No. 199.

Gambling:

- Horse races, licensed persons to accept bets on races held outside the state, Senate Bill No. 149.
- Horse racing, repealing laws in connection therewith, Senate Bill No. 44.
- Licensing of, cities of the first class, with certain exceptions, Senate Bill No. 152.
- Marble or pin-ball machines, prohibiting use of, Senate Bill No. 95.
- Pari-mutuel machines, fees to be collected from, Senate Bill No. 354.
- Pin-ball machines, licensing of and prohibiting operation by minors and intoxicated persons, Senate Bill No. 291.

Game:

- Cooperative wildlife-restoration projects, Department of Game to establish and conduct, House Bill No. 231.
- State Game Commission, one member to be farm owner from east of Cascades; one from west, House Bill No. 86.

Game Fund:

- Appropriation from, for relief of certain individuals, firms and corporations, Senate Bill No. 433.

Games:

- Civilian Conservation Corps, army, navy and marine corps, exempt from securing license for holding boxing or wrestling matches, Senate Bill No. 259.
- Dog racing, creation of commission, Senate Bill No. 339.
- Lawful operating of, securing of license for, Senate Bill No. 237.
- Pari-mutuel betting, increased taxation, Senate Bill No. 354.
- Pinball and similar, licensing of, Senate Bill No. 291.

Gammel, Hon. David:

- Mayor of Olympia, resolution extending thanks to.....Page 806

Gannon, George H.:

- Appointment of, to Board of Regents of State College of Washington.....Page 424
- Confirmation of appointment of.....Pages 456, 509

Garbage:

- Construction of, system by municipalities, issuance of bonds for, Senate Bill No. 286.

Garnishments:

- Advance fees to be paid in, proceedings, Senate Bill No. 139.
- Bank or banking association, method of serving, Senate Bill No. 104.
- Permitting judgment debtors to offset equitable claims against deficiency judgment creditors, Senate Bill No. 63.

Gas:

- Permit for drilling, Senate Bill No. 20.
- Sale of, lease prohibited unless properly licensed, Senate Bill No. 321.
- State lands, leasing for exploration and development, Senate Bill No. 19.
- Waste and conservation of natural gas, Senate Bill No. 169.

Gasoline:

- Excise tax on wholesaler of, House Bill No. 259.

General Welfare Act:

- Congress petitioned to enact, Senate Joint Memorial No. 2.
- Social security laws, asking Congress to standardize by enacting general welfare act, House Joint Memorial No. 7.

Gift Tax Act of 1939:

- Taxation upon gifts, Senate Bill No. 434.

Gifts:

- Clarence J. Lord home, to state, Senate Joint Resolution No. 18.
- Exempt from inheritance tax if bequeathed to another institution which allows same exemption, Senate Bill No. 210.
- Inheritance tax, exemption of, on certain bequests for charitable purposes which pass out of the state to certain societies, House Bill No. 425.

Gifts—Continued:

- Land to be given as, by county commissioners to state or United States, Senate Bill No. 332.
 Taxation upon, Senate Bill No. 434.
 University Board of Regents, authorizing acceptance of gifts from private sources, disposition of, House Bill No. 204.

Golden Jubilee:

- Address of Governor to legislature at joint session.....Pages 333-4
 Commemorative stamp, letter from post office department regarding.....Page 245
 Committee for, appointment of House members.....Page 104
 Committee for, appointment of Senate members.....Page 95
 Joint session of Senate and House for.....Pages 326-335
 Message of Governor to legislature at joint session.....Pages 25-39
 Seal on senators' stationery, resolution regarding.....Page 45

Golden Jubilee Committee:

- Appointment of, commemorate admission of state to the Union, Senate Concurrent Resolution No. 2.

Golf:

- Bonds issued by municipalities for construction of, courses, Senate Bill No. 286.

Government:

- Study of, in State of Washington to be a course in grammar schools, Senate Bill No. 279.

Governor:

- Address at Golden Jubilee Session.....Pages 333-4
 Agricultural Prorate Commission, members to be appointed by, Senate Bill No. 336.
 Appoint Commissioner of Unemployment Compensation and Placement, Senate Bill No. 68.
 Appoint members under the soil conservation districts law, Senate Bill No. 69.
 Appointments made by, to state departments, etc.....Page 424
 Appropriations for maintenance of office of, Senate Bill No. 433.
 Board of auto mechanics' examiners, three to be appointed by, Senate Bill No. 182.
 Board to examine real estate salesmen, appointed by, Senate Bill No. 290.
 Budget for 1939-41, transmittal to Senate.....Page 43
 Budget bill of, transmittal to Senate.....Page 44
 Budget bill, proposed, letter from, regarding.....Page 506
 Committee appointed to notify, regarding joint Washington State Golden Jubilee Session.....Page 326
 Committee appointed to notify, regarding adjournment of legislature *sine die*.....Page 810
 Committee on Interstate Cooperation, members to be appointed by, Senate Bill No. 204.
 Confirmation of appointments of, to state departments, etc.....Pages 456, 509-12
 Conveyance of state lands for municipal park and playground purposes, appoint investigating committee, Senate Bill No. 23.
 Division of Budget, powers and duties of, transferred to, Senate Bill No. 423.
 Duties of, prior to his departure from the state for more than 48 hours, Senate Bill No. 255.
 Extraordinary session of legislature, regulations for convening, by Senate Bill No. 454.
 Fishing Resources Survey Commission, three members to be appointed by, Senate Bill No. 452.
 Joint session to hear message of, House Concurrent Resolution No. 2.
 King County, conveyance of certain platted shore lands, Senate Bill No. 17.
 Legislative Council, two members of, to be appointed by, Senate Bill No. 324.
 Legislative Reference and Drafting Bureau, members of advisory committee to be, Senate Bill No. 331.
 Legislature, notifying Governor of adjournment *sine die*.....Pages 810-11
 Legislature, notifying Governor of organization, House Concurrent Resolution No. 1.
 Message of, to joint session of House and Senate.....Pages 25-39
 Milk Control Board, three members to be appointed by, Senate Bill No. 353.

Governor—Continued:

- Notification of, regarding adjournment of legislature *sine die*.....Pages 810-11
 Pardons, paroles, etc., letter regarding those granted.....Page 258
 Sanipractic Physicians Examining Board, three to be appointed by, Senate Bill No. 263.
 Social Security Committee, one member to be the, Senate Bill No. 427.
 Social Security Department, board of five members to be appointed by, Senate Bill No. 444.
 Soil Conservation Committee, two members to be appointed by, Senate Bill No. 343.
 State Board of Education, members appointed by, Senate Bill No. 301.
 State commission for reorganization of school districts, five members to be appointed by, Senate Bill No. 335.
 State Forest Board, member to be, Senate Bill No. 375.
 State Game Commission members to be appointed by, Senate Bill No. 436.
 State Library Commission, four commissioners to be appointed by, House Bill No. 257.
 State personnel board, for administration of state civil service, to be appointed by, Senate Bill No. 177.
 State Personnel Director of Merit System, to be appointed by, Senate Bill No. 177.
 State Tenure Commission, one member appointed by, Senate Bill No. 121.
 Superintendent of State Vocational School, appointed by, Senate Bill No. 4.
 Transfer certain real estate to Great Northern Railway, by quit claim deed, Senate Bill No. 72.
 Transfer certain real estate to Great Northern Railway, by quit claim deed, Senate Bill No. 73.
 Veto messages of, pertaining to bills passed by 25th session.....Pages 9-20
 Washington Dairy Products Commission, governor to appoint members of, House Bill No. 189.
 Washington State Dog Racing Commission, one member to be appointed by, Senate Bill No. 339.
 Washington State Poultry Congress Committee, members to be appointed by, Senate Bill No. 384.
 Washington State Veterinary Medical Commission, Governor to appoint four veterinarians on, House Bill No. 393.

Governor's Committee on Interstate Cooperation:

- Members to consist of, duties and functions of, Senate Bill No. 204.

Grain:

- Agricultural and horticultural commodities, except grains, prohibiting sale of, by persons not owning or holding mortgages, House Bill No. 226.
 Taxation, exempt from, while stored if shipped from state within certain time, House Bill No. 264.

Grand Coulee:

- Highways of, investigation of, Senate Bill No. 448.
 Streets of, to be repaired and improved, appropriation for, Senate Bill No. 269.

Grand Coulee Dam:

- Land speculation in territory of, to be prevented, Senate Bill No. 126.

Grass, Robert:

- Adjournment of Senate in honor of.....Page 7
 Eulogy by Senator Roberts.....Pages 227-8

Gray, Captain Robert:

- Sesquicentennial celebration commemorating discoveries of, Senate Joint Memorial No. 10.

Grays Harbor County:

- Appropriation for, Senate Bill No. 433.

Grazing Lands:

- Preservation of, under soil conservation districts laws, Senate Bill No. 343.

Great Northern Railway Co.:

- Appropriation for payment of judgment to, Senate Bill No. 433.
- State of Washington to transfer certain real estate to, by quit claim deed, Senate Bill No. 72.
- State of Washington to transfer certain real estate to, by quit claim deed, Senate Bill No. 73.

Gross Income Tax of 1939:

- Excise tax of 1% upon the gross income, rules and regulations to be observed, Senate Bill No. 192.

Guardians:

- Appointment of, for prisoners having estates, Senate Bill No. 314.
- Bonds, providing for reduction or substitution of; control of funds; notice of citations in case of default, House Bill No. 47.
- Estates, duties and liabilities, Senate Bill No. 16.
- Funds, unlawful to invest in obligations of national mortgage associations or in debentures issued by the Federal Housing Administration, Senate Bill No. 141.
- Gross income tax to be filed by, for each ward under their care, Senate Bill No. 192.

Gwin, White & Prince, Inc.:

- Appropriation for payment of judgment to, Senate Bill No. 433.

Hall, Oliver:

- Resolution, sending greetings of Senate on birthday.....Page 243

Harbors:

- Harbor lines, relocation and reestablishment of inner and outer, in front of Port Townsend, House Bill No. 92.
- Shil Shore Bay, asking Congress for appropriation to construct breakwater in, at Seattle, House Joint Memorial No. 4.

Harvest:

- Agriculture prorated marketing zones, relative to, Senate Bill No. 336.

Haskell, Mrs. Frances:

- On program of Golden Jubilee Session.....Pages 327, 335

Hay, Representative:

- Appointment of as House member of Golden Jubilee Committee.....Page 104

Health:

- County commissioners to prepare budget for public, work, Senate Bill No. 438.
- Food injurious to, definition of as outlined in food, drug and cosmetic act, Senate Bill No. 315.
- Medical examination to determine syphilis, prior to issuance of marriage license, Senate Bill No. 373.
- Syphilis examination for pregnant women, Senate Bill No. 374.

Hedges, T. S.:

- Appointment of to State Tax Commission.....Page 424
- Confirmation of appointment of.....Page 457

Herron, Hugh:

- Adjournment of Senate in honor of.....Page 7
- Eulogy by Senator Schroeder.....Page 228

Herring:

- Floating reduction plants, licensing those processing herring, House Bill No. 409.

Highway Protective Areas:

- Establishment of, for safety and convenience of travel, Senate Bill No. 370.

Highway Safety Fund:

- Alexander, J. F., appropriation from, for payment of judgment to, Senate Bill No. 433.

Highway Safety Fund—Continued:

- Appropriations from, for certain individuals, firms and corporations, Senate Bill No. 433.
- Moneys from, to be transferred to, Senate Bill No. 352.

Highways:

- Alder to Yelm, establishment of secondary state, Senate Bill No. 368.
- Anacortes to Whidby Island, establishment of primary state, Senate Bill No. 473.
- Appropriation for Department of, for administration of Federal funds relative to, Senate Bill No. 392.
- Belfair to Port Gamble, survey of a scenic, Senate Bill No. 404.
- Billboard advertising near, Senate Bill No. 221.
- Blind, regulating traffic on streets and highways; limiting use of white canes, House Bill No. 43.
- Bridge, completion of, across Columbia Slough from Puget Island to Cathlamet, House Bill No. 406.
- Bus drivers on, limiting hours of, Senate Bill No. 212.
- Campus approach to University of Washington, Substitute Senate Bill No. 36.
- Coal mines, using one rescue apparatus, to be connected with adequate, Senate Bill No. 244.
- Colbert to Spokane, establishment of secondary state highway, Senate Bill No. 397.
- Colby to Port Orchard, establishment of secondary state highway, Senate Bill No. 345.
- Damage to, by floods, prevention of, Senate Bill No. 344.
- Determination of what streets, roads, highways, tunnels, etc., to come under primary state highway system, to be established by director of, Senate Bill No. 218.
- East of Pullman, across near State College of Washington, in vicinity north of Pullman, Senate Bill No. 337.
- Establishment of Primary State Highway No. 2 or Sunset Highway, Senate Bill No. 12.
- Establishment of primary state highway No. 14 or Navy Yard Highway, Senate Bill No. 12.
- Fees to be paid by common and contract carriers, for each truck and trailer, Senate Bill No. 184.
- Four Corners to Chimacum, establishment of primary state highway, Senate Bill No. 479.
- Grand Coulee, investigation of, Senate Bill No. 448.
- Hood Canal to Bainbridge Island, establishment of primary state, Senate Bill No. 296.
- Inclusion of certain, to be part of primary state highway system, determined by Department of Highways, Senate Bill No. 218.
- Inland Empire Highway, establishment of, Senate Bill No. 145.
- Irrigation districts, authorizing board to release lands for highway purposes, House Bill No. 126.
- Kitsap Lake to Seabeck, secondary state highway No. 210, Senate Bill No. 325.
- Lewis and Clark, completion of, Senate Joint Memorial No. 11.
- Marlin to Almira, secondary state highway No. 7C to be branch of state road No. 7, House Bill No. 392.
- Mine to market roads, providing for construction of, House Bill No. 192.
- Monroe to Bothell, survey and estimate of cost of, to be made, Senate Bill No. 202.
- Motor vehicle fund appropriations, Senate Bill No. 485.
- Motor vehicle fund, appropriations, Senate Bill No. 474.
- Motor vehicles, licensing of same prohibited if car has not passed equipment test, Senate Bill No. 421.
- Parking motor vehicles on primary highways within cities, House Bill No. 123.
- Point Roberts in Whatcom county, to be made part of secondary state highway system, Senate Bill No. 369.
- Primary state highway No. 18, establishment of, Senate Bill No. 129.
- Protective areas, establishment of by Department of, Senate Bill No. 370.
- Raymond-Oakville-Olympia, establishment of, Senate Bill No. 89.
- Reappropriation for maintenance and construction of primary state, Senate Bill No. 396.
- Reappropriation from motor vehicle fund for maintenance, construction, etc., of secondary state highways, Senate Bill No. 394.

Highways—Continued:

- Relocation report on, between Enumclaw and Auburn, Senate Bill No. 75.
- Riverside State Park, naming road in, Aubrey L. White Parkway, House Bill No. 235.
- Secondary state, establishment of route; Burlington through North Avon to vicinity west of North Avon, Senate Bill No. 283.
- Secondary state highway No. 3D, addition of route, Senate Bill No. 147.
- Secondary state highway No. 14, Stanwood to Camano Island, Senate Bill No. 189.
- State Road No. 4, Keller to Coulee Dam, establishment of, Senate Bill No. 367.
- Testing laboratory and site, reappropriation for, Senate Bill No. 391.
- Traffic markers to be installed in incorporated cities and towns, Senate Bill No. 420.
- Trailers prohibited from being operated on, weekends and holidays, Senate Bill No. 355.
- Unlicensed motor vehicle, Director of Licenses may grant special permit to move, on highways from one point to another, House Bill No. 473.
- Vantage Bridge to Sunnyside, establishment of secondary state highway, Senate Bill No. 418.
- White Pass, completion of, Senate Bill No. 475.
- Yakima to Tieton to Snoqualmie National Forest, establishment of state road No. 5N, Senate Bill No. 299.

Hilis, Lieutenant-Colonel J. G.:

Introduced at Golden Jubilee Session.....Page 328

Hinkle, J. Grant:

Adjournment of Senate in honor of.....Page 325

History:

Study of, State of Washington to be required course, Senate Bill No. 279.

Hoist Engineer:

- Coal mining, must pass examination for competency and physical fitness, Senate Bill No. 183.
- Coal mining, qualifications for, House Bill No. 225.

Holdover Senators:

List ofPage 4

Holidays:

- Schools to have holiday on November 11, House Bill No. 101.
- Trailers prohibited from being operated on, Senate Bill No. 355.

Holt, Senator Alfred E.:

Motion by, expression of appreciation to sergeant-at-arms, J. B. Mehan....Page 810

Homesites:

County commissioners, authorizing to designate county-owned lands as homesite lands, House Bill No. 382.

Homesteads:

- Amending law relating to filing of proof of service of notice and judgments against, Senate Bill No. 52.
- Exempting, as established following deaths, from claims for debt, Senate Bill No. 172.
- Extending, rights to buildings as well as to residences, Senate Bill No. 171.
- Selection and abandonment of, House Bill No. 5.

Honey:

Sale and marketing of, regulating, House Bill No. 227.

Honor Camps:

Certain prisoners from state prisons to be sent to, House Bill No. 242.

Hood Canal:

- Primary state highway from Discovery Bay to, Senate Bill No. 296.
- Scenic highway along shore of, report to be made by Department of Highways, Senate Bill No. 404.

Hops:

Sale of, prohibited unless owned or mortgaged to person selling, Substitute House Bill No. 226.

Horse Racing:

Licensed persons to accept bets on, held outside the state, Senate Bill No. 149.
Repealing laws in connection therewith, Senate Bill No. 44.

Horses:

Sleeping sickness, appropriation to eradicate, House Bill No. 277.

Horticulture:

Apples sold, subject to inspection by Department of, House Bill No. 324.
Sale of commodities, except grains, prohibited by persons not owning or holding mortgages on, House Bill No. 226.

Hospitals:

Investigation of, report to be made to 1941 legislature, Senate Bill No. 311.
McKay Memorial Research, establishment of, for those afflicted with Buergers' disease, Senate Bill No. 114.
Non-profit, organization of, powers and duties, Senate Bill No. 131.
Refusal of patients by, providing penalties for, Senate Bill No. 159.
Syphilis treatment for patients in state, Senate Bill No. 490.
Trustees, appointment, terms and duties of, Senate Bill No. 151.
Veterans, insane; court may direct their transfer to United States veterans' facilities, House Bill No. 104.

Hotels:

Bottled beer to be sold by, license for, Senate Bill No. 217.
Vendor of, to give statement of all creditors before sale, Senate Bill No. 190.

Hours:

Bus drivers, limited to a 10-hour shift, Senate Bill No. 212.
County and city offices, 9 a. m. to 5 p. m., Senate Bill No. 59.
County and city offices, hours of, Senate Bill No. 64.
Employees on state public works project, Senate Bill No. 18.
Household and domestic employees, Senate Bill No. 107.
State and county offices, Senate Bill No. 62.

House Committee on Interstate Cooperation:

Members on, duties and functions of, Senate Bill No. 204.

House of Representatives:

Adjournment, reported ready for.....Pages 810-11

Housing:

Creation of housing authorities, slum clearance and providing dwellings for low income, Senate Bill No. 79.
Establishment of housing corporation law, Senate Bill No. 80.

Housing Authorities Law:

Creation of housing authorities, slum clearance and providing dwellings for low income in cities and counties, Senate Bill No. 79.

Housing Cooperation Law:

Creation of, for assistance in planning, undertaking, construction or operation of housing projects, Senate Bill No. 80.

Hunting:

American eagle, or killing, prohibited, Senate Bill No. 380.
Department of Game, regulate additional open and closed seasons, Senate Bill No. 278.
Parties of two or more, regulations to be observed, Senate Bill No. 364.

Hurley, Representative John R.:

Appointment of, as House member of Golden Jubilee Committee.....Page 104

Huxtable, Jesse:

- Adjournment of Senate in honor of.....Page 7
 Eulogy by Senator Orndorff.....Page 228

Hyden, Darwin:

- For the relief of, Senate Bill No. 86.

Ice Plants:

- Construction and maintenance of, in cities of the fourth class, Senate Bill No. 383.

Illegitimate Children:

- Birth certificates of, House Bill No. 71.

Improvement Bonds:

- Validating tax levies made for the creation of a revolving fund to guarantee payment of, Senate Bill No. 13.

Improvement Districts:

- Assessment of lands acquired by diking, drainage, or sewerage improvement districts by foreclosure, and sold under contract, House Bill No. 120.

Improvement Guaranty Funds:

- Water districts, establishment of, Senate Bill No. 440.

Income Tax:

- Excise tax upon the receipt of gross income, Senate Bill No. 192.
 Exemptions from payment of, Senate Joint Resolution No. 14.
 Legislature to have power to impose, at graduated rates, Senate Joint Resolution No. 10.
 Renting of commercial space in buildings on land owned by the state, Senate Bill No. 471.

Indemnities:

- Livestock, owners to receive indemnities for slaughtering of diseased, House Bill No. 132.

Indians:

- Education, disposition of certain moneys for education of, House Bill No. 438.
 Sokulk, fishing privileges extended within designated area on Columbia River, House Bill No. 327.

Industrial Insurance:

- Amending part of the workmen's compensation law relating to medical and surgical care of workmen injured, Senate Bill No. 83.
 Employers, classification of, and rates of contribution to fund by, House Bill No. 191.
 Expense of administration of act relative to, to be made from accident funds, Senate Bill No. 334.
 Fund, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 190.

Industry:

- Investigation of oil, report on.....Pages 696, 717

Inheritance Tax:

- Art museum open to public without charge, exempt from, Senate Bill No. 210.
 Art museums, exempting from payment of, Senate Bill No. 176.
 Coordinating law relating to, House Bill No. 425.
 Exemption of, to religious and certain non-profit corporations and associations from payment of, Senate Bill No. 106.

Injunctions:

- Courts not allowed to issue, involving labor disputes, Senate Bill No. 287.

Insane:

- Deportation of, Senate Bill No. 115.
 Veterans, providing for commitment and transfer of, to certain veterans' administration facilities, House Bill No. 104.

Insolvency:

Building and loan associations not insolvent if able to pay general creditors in full, Senate Bill No. 58.

Inspection:

Apples, sale of, subject to inspection by Department of Horticulture, House Bill No. 324.

Commercial feeds, fertilizers and livestock remedies, inspection of, House Bill No. 351.

Electric wiring installation to be approved by, of Department of Labor and Industries, Senate Bill No. 317.

Livestock, inspecting brands on. House Bill No. 208.

Meat and meat products to be inspected by United States or State Department of Agriculture, House Bill No. 83.

State Bakery Inspector cannot be either employee of bakery or bakery association, Senate Bill No. 50.

Installment Contracts:

Payment of real property taxes in, Senate Bill No. 51.

Instruments:

Recording of, Senate Bill No. 201.

Insurance:

Capital stock of domestic companies may be invested in certain leases, House Bill No. 385.

Company withdrawing from state must reinsure all Washington business with another approved company, House Bill No. 399.

Debt exemptions lowered on life, Senate Bill No. 173.

Ferries under Washington Toll Bridge Authority to be insured, Senate Bill No. 253.

Group life, regulations to be observed, Senate Bill No. 372.

Inheritance tax on insurance policy to be considered lien and payment to be deferred until tax is paid, House Bill No. 425.

Life insurance payments, exempting from debt collection, House Bill No. 348.

Life insurance policies, specifying persons to whom payment under, shall be made, House Bill No. 180.

Limiting incorporating expense of corporation applying for permit to operate insurance company to 7½% of par value or sales price of stock, House Bill No. 268.

Loan on, policy, computation of interest and collection of, Senate Bill No. 138.

Motor vehicle, assessment made at time license is applied for, Senate Bill No. 117.

Mutual savings banks, regulation of investments, Senate Bill No. 142.

Policies, rights of the beneficiary, Senate Bill No. 245.

Property of state or municipal corporations, Senate Bill No. 123.

Rate schedules, requiring filing of, for certain types of insurance companies, House Bill No. 407.

Insurance Commissioner:

Annual statements prepared by insurance companies, to be filed with, Senate Bill No. 281.

Companies to file statements with, Senate Bill No. 42.

Disability retirement system study for Washington State Patrol, assistance to be given by, Senate Bill No. 333.

Execution of bonds of police and peace officers by, Senate Bill No. 250.

Fire insurance, administration of act, Senate Bill No. 123.

Hospital Investigation Committee, member to be State, Senate Bill No. 311.

Insurance company withdrawing from state. all Washington business must be reinsured with another approved company, House Bill No. 399.

Limiting incorporating expense of corporation applying for permit to operate insurance company to 7½% of par value or sales price of stock, House Bill No. 268.

Non-profit hospitals, certificate of organization to be indorsed by, Senate Bill No. 131.

Rate schedules, certain types of insurance companies to file, House Bill No. 407.

Salary to be \$6,500 per year beginning January 15, 1941, House Bill No. 466.

Insurance Companies:

- Annual statements to be filed by, Senate Bill No. 281.
- Funds, unlawful to invest in obligations of national mortgage associations or in debentures issued by the Federal housing administration, Senate Bill No. 141.
- Gross income, definition for purposes of excise tax, Senate Bill No. 192.
- Incorporation of, Senate Bill No. 61.
- Marine insurance, premiums to be taxed, Senate Bill No. 281.

Interest:

- Credit unions, providing for calculation of interest, House Bill No. 201.
- Industrial loan companies, limiting loan rates to 10%, House Bill No. 148.
- Irrigation districts, rate of interest of delinquent district assessments, House Bill No. 126.
- Life insurance policy loans, payment and collection of, Senate Bill No. 138.
- Motor vehicles, licensing business of making loans on; limiting rate of, House Bill No. 96.
- Public school employees' retirement system, interest rate to be 3% per annum, House Bill No. 29.

Interest Coupons:

- Bonds, issued by counties, cities, and school districts, signatures on, House Bill No. 365.

Interim Committee:

- On investigation of milk and dairy industry.....Pages 808-9
- On revision of Senate rules, appointment of.....Page 785

Intoxicants:

- Pinball machines, prohibited from playing, Senate Bill No. 291.

Introductions:

- Persons in gallery, motion by Senator Thomas regarding.....Page 623

Investigations:

- Activities of Washington State Patrol, Senate Joint Resolution No. 2.
- Conservation and development of natural resources, by State Planning Council, Senate Bill No. 268.
- Department of Public Service, resolution regarding.....Page 351
- Employees of sheriffs' departments, for fitness as to position, Senate Bill No. 294.
- Hospital associations, medical service bureaus, Senate Bill No. 311.
- Metropolitan Building Company, lease of certain University of Washington property, resolution regarding.....Pages 389-10
- Milk and dairy products, appointment of interim committee for.....Pages 808-9
- Milk and dairy products, resolution regarding.....Pages 76, 82
- Milk and dairy products, report of committee for.....Page 337
- Milk and dairy products, Senate Concurrent Resolution regarding.....Page 582
- Milk products, production and distribution of, Senate Joint Resolution No. 17.
- Milk products, production and distribution of, appropriation for, Senate Bill No. 449.
- Oil industry, report on.....Pages 696, 717
- Public Service, Department of, resolution regarding.....Page 351
- Public utilities to pay cost of certain, by Department of Public Service, House Bill No. 535.
- Re-assessment and re-taxation, of property by Tax Commission, Senate Bill No. 207.
- Telephone utilities, appropriation for investigation of, by Department of Public Service, House Bill No. 524.
- Un-American activities in State of Washington, resolution regarding....Pages 51, 58

Investments:

- Funds, unlawful to invest in obligations of national mortgage associations or in debentures issued by the Federal Housing Administration, Senate Bill No. 141.
- Mutual savings banks, regulation of, Senate Bill No. 142.

Irrigation Districts:

- Assessment of, within boundaries of Columbia Basin Project, Senate Bill No. 126.
- Director divisions of, to be determined by directors, Senate Bill No. 125.

Irrigation Districts—Continued:

- Disorganization and liquidation of those existing more than 20 years without furnishing irrigation, House Bill No. 342.
- Election notice to consist of, in, Senate Bill No. 376.
- Inclusion of new land in districts comprising more than 200,000 acres, House Bill No. 342.
- Limitation of actions, for assessments or toll charges levied by, Senate Bill No. 87.
- Limiting time to bring action to enforce certain rights and claims of those owned by United States, House Bill No. 286.
- Sale of land for delinquent district assessments, House Bill No. 126.
- Water rights and ditches, regulating exchange, loan, or lease of, House Bill No. 477.

Island County:

- Appropriations for, Senate Bill No. 433.
- Clam digging prohibited, Senate Bill No. 27.

Japan:

- War materials not to be shipped to, Senate Joint Memorial No. 3.
- War materials not to shipped to, resolution regarding.....Page 475

Jefferson County:

- Salt Creek State Park, establishing in, House Bill No. 401.

Jewelry:

- Insurance on, taxation on premiums, Senate Bill No. 281.

Johns, Charles E.:

- Introduced at Golden Jubilee Session.....Page 335

Joint Rules:

- Of 1937 session adopted for 1939 session, resolution regarding.....Page 5
- Of 1937 session adopted for 1939 session, Senate Concurrent Resolution No. 1.

Joint Session:

- Golden Jubilee observance of admission of state to the union, Senate Joint Resolution No. 7.
- Golden Jubilee program.....Pages 326-335
- Governor's message to.....Page 25
- Governor's message to be presented, House Concurrent Resolution No. 1.
- Memorial services on February 13, House Concurrent Resolution No. 3.
- Memorial services on February 13, program for.....Pages 224-233

Jones, Mrs. Elmer:

- On program for memorial services.....Page 224

Journal of Senate:

- Compiling, proof-reading, indexing, etc., resolution regarding.....Page 808

Judges:

- Empowered to authorize judgment debtor to pay judgment in installments, Senate Bill No. 63.
- King County superior, reducing number from 15 to 12, Senate Bill No. 443.
- Payment of, by installments, Senate Bill No. 63.
- Retired, to receive retirement pay under certain conditions, Senate Bill No. 419.
- Superior court, dividing of county into jury districts, Senate Bill No. 266.

Junior College Districts:

- Experimental program including vocational and nonvocational education to be carried on in, House Bill No. 283.

Junior Colleges:

- Experimental program including vocational and nonvocational education to be carried on in junior college districts, House Bill No. 283.

Juries:

- Appeals to superior court, from order of the Department of Labor and Industries, either party entitled to, Senate Bill No. 101.
- Contempt of court violators, Senate Bill No. 35.

Juries—Continued:

Court reporter to be appointed to record proceedings of grand, Senate Bill No. 164.
 Determination if defendants shall have death penalty or life imprisonment, Senate Bill No. 232.

Selection of, by County Assessors, Senate Bill No. 94.

Superior courts, selection of, Senate Bill No. 266.

Justice of the Peace:

Cities with commission form of government, commission to appoint, as police court judge, House Bill No. 171.

Defining increased jurisdiction of, Senate Bill No. 40.

Empowered to authorize judgment debtor to pay judgment in installments, Senate Bill No. 63.

First-class city, to be appointed as police judge to preside over municipal court, House Bill No. 217.

Fixing number of same in incorporated cities, Senate Bill No. 33.

Juvenile Courts:

Appeals in, by one dissatisfied with decision on his application for public assistance, Senate Bill No. 249.

Keeler, Senator Joe L.:

Resolution by, certification of Session Laws.....Page 807

Keller:

Coulee Dam to, establishment of state highway, Senate Bill No. 367.

Kerstetter, Senator G. B.:

Protest by, on passage of Senate Bill No. 48.....Page 135

Protest by, regarding state expenditures.....Page 782

Protest by, regarding vote on Senate Bill No. 350.....Page 556

Resolution by, regarding Senate employees.....Page 785

Keystone Harbor:

Crocket Lake to, dredging of, and constructing a rock breakwater, Senate Joint Memorial No. 12.

Kidnapping:

Penalties for, may be fixed by court without a jury, Senate Bill No. 233.

Punishable by life imprisonment, Senate Bill No. 216.

King County:

Conveyance of certain platted shore lands to, for recreational purposes, Senate Bill No. 17.

County Engineer of, to be member of Cascade Tunnel Commission, Senate Bill No. 380.

Superior court judges in, reducing number from 15 to 12, Senate Bill No. 443.

Kirkpatrick, W. D.:

Appointment of, to Board of Trustees of Western Washington College of Education.....Page 424

Confirmation of appointment of.....Pages 457, 511

Kitsap County:

Bridge, construction of, across Agate Pass, House Bill No. 569.

Kitsap Lake:

Seabeck to, secondary state highway, establishment of, Senate Bill No. 325.

Kittitas County:

Appropriations for, Senate Bill No. 433.

Kleeb, John Willis:

Eulogy by Senator Bloomer.....Page 229

Klemgard, Senator Gordon:

Appointment as vice-chairman of Appropriations Committee.....Page 49

Resolution by, regarding Oliver Hall.....Page 243

Klickitat County:

Appropriation for, Senate Bill No. 433.

Klobucher, Mark Edward:

Relief and benefit of, appropriation for, Senate Bill No. 377.

Koontz, Senator J. M.:

Protest by, regarding vote on Senate Bill No. 350.....Page 556

Kyle, Senator H. L.:

Protest by, on passage of Substitute Senate Bill No. 47.....Page 130

Protest by, regarding vote on Senate Bill No. 350.....Page 556

Resolution by, regarding appointment of Lieutenant-Governor Victor A. Meyers as delegate to Fourth General Assembly of Council of State Governments..Page 60

Resolution by, regarding investigation of Department of Public Service.....Page 351

Resolution by, regarding Tax Commission.....Pages 242, 250

Labels:

Honey, specifying the marking of containers of, House Bill No. 227.

Uniform food, drug, and cosmetic act, use of, Senate Bill No. 315.

Wine, prescribing material to appear on wine bottle labels, House Bill No. 172.

Labor:

Aliens and nonresidents prohibiting employment of, on public works, House Bill No. 161.

Industrial insurance act, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 190.

Industrial insurance, medical aid and occupational disease funds, classification of, and rates of contribution to, by employer, House Bill No. 191.

Removing jurisdiction of courts in, Senate Bill No. 287.

Social Security Department, one member to belong to an organization of, Senate Bill No. 444.

Wages earned by deceased employee prior to death to be paid to nearest kin, House Bill No. 221.

Wages, underpayment of agreed, and certain deductions from, unlawful, House Bill No. 128.

Labor Union:

Aliens prevented from joining, Senate Bill No. 21.

Group life insurance covering members of, Senate Bill No. 372.

Laboratory:

Highway testing, site, reappropriation for, Senate Bill No. 391.

La Conner:

Tide lands in front of, authorizing sale of, House Bill No. 381.

Ladies of the Grand Army Home:

Appropriation for, Senate Bill No. 433.

Lake Washington Bridge:

Establishment of primary state highway, Senate Bill No. 12.

Lakes:

Navigability of, to be determined by, Senate Bill No. 390.

Land Title Assurance Fund:

Fees for registration of land, Senate Bill No. 179.

Lands:

Acquisition of, by United States government for purposes of establishing forts, magazines, arsenals, dockyards, etc., Senate Bill No. 272.

Big Tree State Park, sale of by state parks committee, Senate Bill No. 371.

Cemetery lots or tracts, sale of uncared-for abandoned sections, Senate Bill No. 346.

Clallam County, sale of to school district No. 58, Senate Bill No. 366.

Damage to, by floods, prevention of, Senate Bill No. 344.

Granted to state for educational purposes, to be approved by State Board of Education, Senate Bill No. 360.

Lands—Continued:

- Platting, subdivision and dedication of, regulation of standards, surveys and sketches, Senate Bill No. 240.
- Reconveyance of, to county by State Forest Board, Senate Bill No. 310.
- Sale of, by county commissioners to state or United States, Senate Bill No. 332.
- Seattle deeded certain, for street, boulevard purposes, Senate Bill No. 289.
- Soil conservation of, Substitute Senate Bill No. 69.
- William H. Young, balance due Commissioner of Public Lands, to be reduced, Senate Bill No. 389.

Larrabee, Charles F.:

- Introduced at Golden Jubilee Session.....Page 335

Latmer, Frank:

- Appropriation for payment of judgment to, through H. V. Jackson, administrator, Senate Bill No. 433.

Law:

- Members of legislature for six years or President of State Senate, eligible to take examination for admission to bar, Senate Bill No. 357.
- Unlawful practicing of, Senate Bill No. 82.

Law Libraries:

- Amending present law relating to fees in county, Senate Bill No. 60.

Laws:

- Codification of, with reference to elections, submission to members of legislature, Senate Bill No. 385.
- Copyrights, protection of, Senate Bill No. 5.
- State Law Librarian to report to legislature on laws to be changed or amended, House Bill No. 312.

Lawsuits:

- Appropriation for defense of, Senate Bill No. 328.
- Settlement of, advertising for or soliciting of choses in action, Senate Bill No. 314.

Lawyers (see Attorneys).**Leases:**

- Domestic insurance companies may invest capital stock in certain, House Bill No. 385.
- State Board of Law Examiners, establishment of, Senate Bill No. 329.
- State lands, for exploration and development of gas and oil, Senate Bill No. 19.
- Water rights and ditches, regulating lease of, House Bill No. 477.

LeFevre, J. L.:

- Appropriation for payment of judgment to, Senate Bill No. 433.

Legal Aid:

- Legal aid bureaus, defining and authorizing their creation, House Bill No. 30.

Legislative Council:

- Creation of, five senators, six representatives; two appointees by Governor; duties of, Senate Bill No. 324.

Legislative Manuals:

- Printing of, for 1939 session, House Concurrent Resolution No. 4.

Legislative Ball Committee:

- Appointment of, by President of Senate.....Page 346

Legislative Reference and Drafting Bureau:

- Creation of, as a division of State Library, purpose and duties of, Senate Bill No. 331.

Legislature:

- Acting Governor not empowered to convene, until thirty days after the Governor's departure, Senate Bill No. 255.

Legislature—Continued:

- Adjournment of, committee to notify Governor, Senate Concurrent Resolution No. 6.
- Adjournment of, appointment and report of committee to notify GovernorPages 310-11
- Adjournment of *sine die*.....Page 311
- Apportionment of districts relative to representation in, Senate Joint Resolution No. 15.
- Closing of, consideration of bills after certain hours, Senate Concurrent Resolution No. 4.
- Code of election laws, each member of, to receive, Senate Bill No. 385.
- Expenses for 1939 session, \$125,000.00, Senate Bill No. 1.
- Expenses of twenty-sixth, appropriation of \$58,000.00, Senate Bill No. 400.
- Extraordinary session of, regulations to be observed in convening, Senate Bill No. 454.
- Governor to be notified that legislature is organized, House Concurrent Resolution No. 1.
- Governor to be notified of adjournment *sine die*.....Pages 810-11
- Hospital investigation committee, one member from Senate and one from House, Senate Bill No. 311.
- Joint rules of 1937 session adopted for 1939 session, Senate Concurrent Resolution No. 1.
- Joint session, February 22, to observe Golden Jubilee, Senate Joint Resolution No. 7.
- Joint session, February 22, to observe Golden Jubilee.....Pages 326-335
- Joint session, February 13, for memorial services.....Pages 224-233
- Joint session to hear the Governor's message, House Concurrent Resolution No. 2.
- Joint session to hear the Governor's message.....Page 25
- Legislative manual, printing of, for 1939 session, House Concurrent Resolution No. 4.
- Legislative printing, \$15,000.00, Senate Bill No. 2.
- Legislative Reference and Drafting Bureau, functions of in assistance to members of, Senate Bill No. 331.
- Lieutenant Governor and Commissioner of Public Lands' offices can be abolished by, Senate Joint Resolution No. 6.
- Marriage laws committee from, to meet with Oregon committee, Senate Concurrent Resolution No. 3.
- Marriage laws committee from, to meet with Oregon committee, appointment ofPage 149
- Members' compensation, to be fixed by law, Senate Joint Resolution No. 12.
- Member for six years eligible to take examination for admission to bar, Senate Bill No. 357.
- Memorial service at joint session, February 13, House Concurrent Resolution No. 3.
- Memorial service at joint session.....Pages 224-33
- Power to impose personal net income taxes at graduated rates, Senate Joint Resolution No. 10.
- Relocation of highway, Enumclaw-Auburn, report in 1941, Senate Bill No. 75.
- Report on cost of highway between Monroe and Bothell, to be submitted to, in 1941, Senate Bill No. 202.
- Return ball to be given by legislators, House Concurrent Resolution No. 6.
- Return ball, appointment of committee for, by President of Senate.....Page 346
- Salaries of members, to be set by, Senate Joint Resolution No. 16.
- Senate and House of, members to be selected as committees on interstate co-operation, Senate Bill No. 204.
- Session of 1941, call a convention to revise or amend the constitution, Senate Joint Resolution No. 9.
- Session Laws of 26th session, \$3,500 for temporary publication of, House Bill No. 119.
- Session Laws of 26th session, resolution authorizing certification of.....Page 807
- Single legislative body, with legislative council, Senate Joint Resolution No. 3.
- Social Security Department, joint committee appointed to investigate, House Joint Resolution No. 4.
- State Auditor to make report to, of each state department, Senate Bill No. 239.

Legislature—Continued:

State law librarian to report to, on laws to be changed or amended, House Bill No. 312.

Teachers' pension, funds to be appropriated by the, Senate Bill No. 188.

Unemployment compensation report to be made to, in 1941, Senate Bill No. 219.

Lewis, Alonzo Victor:

Named "Sculptor Laureate" of Washington.....Page 287

Lewis, Jas. Hamilton:

Message from, read at Golden Jubilee Session.....Page 329

Libraries:

Board members vacancies to be filled by appointment, Senate Bill No. 135.

Federal aid acceptance of, by the state for, Senate Bill No. 174.

State library commission, creation of, House Bill No. 257.

University of Washington, reserve facilities for students, Senate Bill No. 430.

Licenses:

Auto mechanics, qualifications necessary to secure, Senate Bill No. 182.

Beer retailers', to sell in bottles, issued only to those engaged in business of a hotel, restaurant, cafe, tavern, Senate Bill No. 217.

Billboard advertising, Senate Bill No. 221.

Commercial feeds, fertilizers and livestock remedies, retailers of, required to have license, House Bill No. 351.

Commission merchant selling agricultural products required to have license, House Bill No. 135.

Conditional vehicle operator's license may be issued by director, even though artificial vision is less than 20/50, House Bill No. 473.

Dog racing, to be secured from commission, Senate Bill No. 339.

Exempting resident citizens over age of sixty-five from the necessity of securing a license to hunt and fish, Senate Bill No. 9.

Fees to be collected by county auditor, bond to cover same, Senate Bill No. 124.

Fishing, holding and renewing of, Senate Bill No. 163.

Floating reduction plants for reduction and processing certain fish, licensing of, House Bill No. 409.

Gambling, to be issued on certain types, in cities of the first class, Senate Bill No. 152.

Games of chance and skill, lawful operation of, Senate Bill No. 237.

Horse races, licensed persons to accept bets on races held outside the state, Senate Bill No. 149.

Liquor, appeal to superior court by one whose license has been revoked or suspended, Senate Bill No. 356.

Loans on motor vehicles, business of making, to be licensed, House Bill No. 96.

Macaroni factory fees, Senate Bill No. 408.

Marriage, for intermarriage of white race with that of black, brown, or yellow, prohibited, Senate Bill No. 293.

Marriage, for three day notice of intention, Senate Bill No. 71.

Marriage, medical examination prior to issuance of, Senate Bill No. 373.

Meat wholesaler required to have, House Bill No. 83.

Milk dealer, qualifications necessary to receive one, Senate Bill No. 353.

Motor vehicles, prohibited if car has not passed equipment test, Senate Bill No. 421.

Nursery stock, licensed nurserymen from other states to ship without license fees, House Bill No. 110.

Oil and gas leases, for selling, Senate Bill No. 321.

Operator's license, 25c from each to go into state parks and parkways fund, House Bill No. 432.

Parade, meeting or gathering, to be issued by local officials, Senate Bill No. 168.

Pound nets, fees for the use of, Senate Bill No. 295.

Pound nets, fees, Senate Bill No. 405.

Preorganization subscription, fee for application of, Senate Bill No. 226.

Prohyalactics, retailer or wholesaler must have license to sell certain, House Bill No. 60.

Real estate brokers, examination for, Senate Bill No. 290.

Regulating sale of tobacco products, Senate Bill No. 67.

Licenses—Continued:

- Sanipractic physicians, examination prior to receipt of, Senate Bill No. 263.
- Seasonal beer, for outing parks and beach resorts, Senate Bill No. 231.
- Small loans, securing license before making, Senate Bill No. 213.
- Smelt, candlefish or herring, commercial taking of, Senate Bill No. 108.
- State Board of Law Examiners, fees to be paid by attorneys, Senate Bill No. 329.
- Steam boilers, firms repairing, required to have license, House Bill No. 138.
- Trailers, semi-trailers, or motorcycles, only one license number plate to be issued for, House Bill No. 473.
- Trucks, trailers, semi-trailers, increasing license fees on certain, House Bill No. 397.
- Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.
- Tuna canner, buyer, freezer, wholesale dealer or broker, Senate Bill No. 109.
- Wildlife-restoration projects, funds from hunting license fees to be used for, House Bill No. 231.
- Wine, sale of only to authorized retailers, Senate Bill No. 271.
- Wine, to be purchased from state liquor stores at a discount, Senate Bill No. 118.
- Wineries, license fees for domestic, to be according to gallonage manufactured, House Bill No. 172.

Liens:

- Cattle, fee for inspection of branded, to be lien against cattle until paid, House Bill No. 238.
- Inheritance tax, coordinating law relating to, House Bill No. 425.
- Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.

Lieutenant-Governor:

- Appointment of, as delegate to Fourth General Assembly of Council of State GovernmentsPage 60
- Duties of, in absence from the state of the Governor, Senate Bill No. 255.
- Legislative Reference and Drafting Bureau, member of advisory committee to be, Senate Bill No. 331.
- Office of, may be abolished by legislature, Senate Joint Resolution No. 6.
- Presentation of gift to, from members of the Senate.....Page 739

Life Certificates:

- Teachers, to be granted only to those who have complied with provisions of laws, Senate Bill No. 461.

Life Insurance:

- Amount needy person may have at time of application for relief, Senate Bill No. 206.
- Companies to file statements with Insurance Commission, Senate Bill No. 42.
- Debt collection, exempting life insurance payments from, House Bill No. 348.
- Domestic companies may invest capital stock in certain leases, House Bill No. 385.
- Group, regulations concerning, Senate Bill No. 372.
- Incorporation of, companies, Senate Bill No. 61.
- Limiting incorporating expense of corporation applying for permit to operate insurance company to 7½% of par value or sales price of stock, House Bill No. 268.
- Loan on, policy, computation of interest and collection of, Senate Bill No. 138.
- Payments, specifying persons to whom payments shall be made, House Bill No. 180.
- Premiums on, payment of tax on by insurance companies, Senate Bill No. 281.
- Proceeds of, rights of beneficiary, Senate Bill No. 245.
- Withdrawal of company from state, all Washington business must be reinsured with another approved company, House Bill No. 399.

Limitation of Debate:

- Motion regarding time allowed for speeches on floor of Senate.....Pages 546, 614

Lipp, Anita:

- On program of Golden Jubilee Session.....Pages 327, 335

Liquor:

- Advertising of, by Board, prohibited, Senate Bill No. 185.
- Allowing sale of, on Sunday, House Bill No. 198.
- Appeal to superior court by one whose permit has been revoked or suspended, Senate Bill No. 356.
- Beer license, seasonal, for outing parks and beach resorts, Senate Bill No. 231.
- Beer parlor, vendor of, to give statement of all creditors, before sale of, Senate Bill No. 190.
- Beer tax, of \$2.50 per barrel, Senate Bill No. 193.
- Beverage dispenser's financial interest in manufacture, Senate Bill No. 486.
- Interstate advertising of, Senate Joint Memorial No. 13.
- Minors not allowed where wines or beer sold, Senate Bill No. 307.
- Purchase of a brand of, if 1,000 permit holders petition the board, Senate Bill No. 186.
- Reallocation of profits from sale of to counties and cities, House Bill No. 260.
- Repealing law relative to felonious sale of, to minors, Senate Bill No. 460.
- Sale of beer in bottles, only by restaurants, hotels, cafes, beverage stores, Senate Bill No. 217.
- Sale of, on Sunday, Senate Bill No. 37.
- Sale of, on Sunday, Senate Bill No. 45.
- Sales, increasing state profit on; fees on domestic wineries according to gallonage manufactured, House Bill No. 172.
- Sales tax to be applied to sale of, Senate Bill No. 113.
- Wines, Liquor Control Board may ban same from other states, which discriminate against products from this state, Senate Bill No. 399.
- Wine, to be sold by state liquor stores to a licensee at a discount, Senate Bill No. 118.
- Wine to be sold only to properly licensed retailers, Senate Bill No. 271.

Liquor Control Board:

- Liquor advertising by, to be prohibited, Senate Bill No. 185.
- Purchase of a brand of liquor by, if 1,000 permit holders desire it, Senate Bill No. 186.
- Wines from other states may be banned from sale in this state by, Senate Bill No. 399.

Liquor Revolving Fund:

- Beer tax of \$2.50; \$1.00 of which to go into, Senate Bill No. 193.
- Creation of, in state treasury, Senate Bill No. 424.

Livestock:

- Assessments to be prorated when stock is moved from one county to another, House Bill No. 80.
- Brands, inspection of, House Bill No. 208.
- Commercial remedies for, to be registered by Department of Agriculture, House Bill No. 351.
- Fairs, providing for district exhibitions of livestock, House Bill No. 236.
- Horses, appropriation to eradicate sleeping sickness among, House Bill No. 277.
- Indemnities for slaughtering diseased, House Bill No. 132.
- Inspection of those slaughtered for meat and meat food products, House Bill No. 83.
- License required to sell agricultural products on commission, House Bill No. 135.

Loan Companies:

- Capital stock qualifications on industrial, according to size of cities; limiting loan rates to 10%, House Bill No. 148.
- License to be secured for the making of small loans, Senate Bill No. 213.
- Limiting amount of loan on security of one property or to one person, Senate Bill No. 130.
- Not insolvent if able to pay general creditors in full, Senate Bill No. 58.
- Savings and loan associations, conversion of federal into state, House Bill No. 188.

Loans:

- Credit unions, providing for collateral security for loans, House Bill No. 201.
- Licenses for the making of small, regulations to be observed, Senate Bill No. 213.
- Life insurance policy, computation of interest and collection of, Senate Bill No. 138.
- Motor vehicles, licensing business of making loans on; limiting rate of interest, House Bill No. 96.

- Local Improvements:**
 Fire-protection districts, giving the right to create local improvement districts within, House Bill No. 81.
- Lord, Clarence J.:**
 Home of, deeded to state, Senate Joint Resolution No. 18.
 Home of, deeded to state, letter regardingPages 418-19
- Lord, Mrs. Elizabeth R.:**
 Deeding Clarence J. Lord home to state, letter from.....Page 418
- Loss Leader:**
 Monopolies, prohibiting unfair competition, discrimination and practices in connection with sale of certain articles to prevent, House Bill No. 282.
- Lovejoy, Senator George A.:**
 Appointment of as member of Legislative Ball Committee.....Page 346
 Resolution by, regarding photographs of Senate members.....Page 807
- Lucas, Mrs. W. D.:**
 Deeding Clarence J. Lord home to state, letter from regarding.....Page 418
- Lumber:**
 Red cedar shingle industry, asking President for hearing because of loss of trade due to reciprocal trade agreement with Canada, House Joint Memorial No. 8.
- Luminal:**
 Sale, gift, barter, exchange prohibited, Senate Bill No. 24.
 Sale of, prohibiting and regulating, House Bill No. 325.
- Lunchrooms:**
 Authorizing establishment of, in public schools, Senate Bill No. 78.
- McKay Memorial Research Hospital:**
 Establishment of, at Soap Lake, Washington, Senate Bill No. 114.
- Macaroni:**
 Regulations to be observed in manufacture and sale of, Senate Bill No. 408.
- Mailing Lists:**
 Senate bills, each senator to be allowed two sets for.....Page 55
- Malayan Race:**
 Marriage of white race with, prohibited, Senate Bill No. 293.
- Malstrom, Senator Kathryn E.:**
 Protest by, regarding vote on Senate Bill No. 427.....Page 571
- Marble Machines:**
 Operation of, without license, prohibited, Senate Bill No. 291.
- Marine Corps:**
 Armory for naval and, establishment in Seattle, Senate Bill No. 350.
- Marine Insurance:**
 Taxation on, premiums, Senate Bill No. 281.
- Marines:**
 Children of those killed during the World War provided with educational opportunities, House Bill No. 78.
 City employees' pensions, time served in, not to be deducted from time applied on pensions, House Bill No. 90.
 World War veterans, rehabilitation of disabled, House Bill No. 25.
- Maritime Commission:**
 Shipbuilding plant for Puget Sound, freight and passenger line between here and Orient to be established, House Joint Memorial No. 2.

Marlin:

State road No. 7, secondary highway No. 7C from Marlin to Almira to be branch of, House Bill No. 392.

Marriage:

Oregon and Washington legislative committees to discuss laws on, appointment of Senate committee Page 149
 Oregon and Washington legislative committees to discuss laws on, Senate Concurrent Resolution No. 3.
 Notice of intention to wed, Senate Bill No. 71.
 Resolution by Oregon legislature, to make Oregon and Washington laws uniform Pages 132-33
 Support of minors by divorced parents, regulations in case of remarriage of either, Senate Bill No. 398.
 White race prohibited from, with members of black, brown, or yellow races, Senate Bill No. 293.

Marriage Licenses:

Medical examination prior to issuance of, Senate Bill No. 373.
 Notice of, three days prior to issuance of, Senate Bill No. 71.

Martin, Clarence D. (see Governor).**Massage Parlors:**

Prohibited from giving treatment for ailments, Senate Bill No. 41.

Maxwell, Senator Earl:

Resolution by, regarding investigation of un-American activities in State of Washington Pages 51, 58
 Resolution by, regarding supervision of Senate chambers..... Page 807

Mayors:

Cities of the third and fourth-class, reimbursed for official expenses, Senate Bill No. 150.
 Libraries, trustees of, in cities and towns to be appointed, Senate Bill No. 135.
 Office of, in cities of the third class, period of four years, Senate Bill No. 215.

McAulay, Senator George F.:

Expression of regret of senators over accident to..... Page 785

McBride, Henry:

Adjournment of Senate in honor of..... Page 7
 Eulogy by Senator Todd..... Page 229

McCroskey, Earle M.:

Election of, as Secretary of the Senate..... Page 4
 Extending thanks to, resolution regarding..... Page 807

McDonald, Senator Robert T.:

Appointed member of Golden Jubilee Committee..... Page 95
 Appointed member of Legislative Ball Committee..... Page 346
 Resolution by, regarding construction of approach to University of Washington campus Page 676
 Resolution by, expressing appreciation to Geo. E. Ryan, Senate postmaster.. Page 808
 Resolution by, regarding shipment of war materials to Japan..... Page 475

McMillan, C. R.:

Message from to Golden Jubilee Session..... Page 330

McMillan, Senator David E.:

Address to Golden Jubilee Session..... Page 330
 Appointment of, as member of committee to investigate milk and dairy products Page 83

Meat:

Inspection of, by state or Federal inspectors, House Bill No. 83.

Medical Aid:

- Blind to receive, Senate Bill No. 187.
- Employers, classification of, and rates of contribution to fund by, House Bill No. 191.
- Industrial insurance act, creating surplus fund for workmen whose medical aid contracts have expired, House Bill No. 190.
- Physically disabled persons to receive, Senate Bill No. 270.
- Workmen entitled to, engaged in extrahazardous employment, Senate Bill No. 100.

Medical Examinations:

- Fraternal benefit societies, admitting to beneficiary membership certain persons without, House Bill No. 368.
- Syphilis, prior to issuance of marriage license, Senate Bill No. 373.
- Washington State Patrol members to have, to determine eligibility for sick relief, Senate Bill No. 333.

Medicine:

- Amytal, luminal, veronal and derivatives, prohibiting and regulating sale of, House Bill No. 325.
- Buergers' disease, study of, Senate Bill No. 114.
- Liquor advertising on radio, asking Congress to prevent, Senate Joint Memorial No. 13.
- Prescription required to sell amytal, luminal, veronal, etc., or their derivatives, House Bill No. 11.
- Prescriptions, drug and medical, preservation and inspection of, House Bill No. 58.
- Prohibiting sale of amytal, luminal, veronal, etc., Senate Bill No. 24.
- Sale of misbranded and falsely advertised foods, drugs and cosmetics, Senate Bill No. 15.
- Sale of narcotics and treatment of addicts, Senate Bill No. 39.
- Sanipractic physicians, licensing and examination of, Senate Bill No. 263.
- State soldiers' home members to have, medical attendance, Senate Bill No. 120.
- Washington food, drug and cosmetic act, regulations concerning sale of, Senate Bill No. 315.

Mehan, J. B.:

- Election of, as Sergeant-at-Arms of the Senate.....Page 5
- Expression of appreciation to.....Page 810

Members of Senate:

- List ofPages 3, 4
- Native sons and daughters of Washington, introduced at Golden Jubilee SessionPage 329

Memorials:

- Allot a regiment of national guard anti-aircraft artillery to this state, Senate Joint Memorial No. 8.
- Columbia River, construction of a river wall, Senate Joint Memorial No. 6.
- Completion of Lewis and Clark highway, Senate Joint Memorial No. 11.
- Grazing, closing of a portion of Stevens County, Senate Joint Memorial No. 1.
- Keystone Harbor to Crocket Lake, dredging of, and constructing a rock breakwater, Senate Joint Memorial No. 12.
- Liquor advertising on radio, asking Congress to prevent, Senate Joint Memorial No. 13.
- Noxious weeds, petitioning Congress to enact legislation and provide funds to assist in control of, House Joint Memorial No. 21.
- Petitioning Congress relative to export traffic in war materials to Japan, Senate Joint Memorial No. 3.
- Petitioning Congress to make adequate provision for old age assistance in the general welfare act, Senate Joint Memorial No. 2.
- Postage stamp, celebrating the golden jubilee of the admission of this state to the Union, Senate Joint Memorial No. 4.
- Red cedar shingle industry, asking President for hearing because of loss of trade due to reciprocal trade agreement with Canada, House Joint Memorial No. 8.
- Rehabilitation of harbor defense of Puget Sound, Senate Joint Memorial No. 9.
- Sesquicentennial celebration commemorating discoveries of Captain Robert Gray, Senate Joint Memorial No. 10.

Memorials—Continued:

- Shil Shole Bay, asking Congress for appropriation to construct breakwater in, House Joint Memorial No. 4.
 Shipbuilding plant on Puget Sound, freight and passenger line between here and Orient to be established, House Joint Memorial No. 2.
 Vessels under 200 tons gross tonnage, exempt from having licensed personnel, Senate Joint Memorial No. 7.
 Works progress administration program, continuation of, by \$875,000,000 appropriation, Senate Joint Memorial No. 5.

Memorial Services:

- Committee on memorials, request of regarding.....Page 173
 Joint session for, program of.....Page 224

Metcalf, Senator Ralph:

- Appointment as member of committee for golden jubilee celebration.....Page 95
 Appointment as member of committee to notify Governor of adjournment *sine die*Page 810
 Motion by, that Senate adjourn *sine die*.....Page 811
 Resolution by, regarding adjournment of Senate in honor of certain former membersPage 7
 Resolution by, regarding adjournment of Senate in honor of Louis Conyard..Page 23
 Resolution by, regarding Oliver Hall.....Page 243

Meters:

- Installation, location and inspection of telephone meters, Senate Bill No. 11.

Metropolitan Building Company:

- Investigation of lease of, of certain University of Washington property.....Page 389

Metropolitan Park Districts:

- Commissioners to file certified budget with clerk of Board of County Commissioners, House Bill No. 131.
 Contracting indebtedness for parks, etc., not to exceed 3/20 or 1% of taxable property, House Bill No. 134.
 Taxation, limited to 2½ mills on property in park districts, House Bill No. 37.

Meyers, Lieutenant-Governor Victor A. (see Lieutenant-Governor).**Military Leave:**

- State, county or city employees, entitled to, plus regular vacation, Senate Bill No. 422.

Milk and Cream:

- Dairy products, organizing commission to advertise, House Bill No. 189.
 Distribution and sale of, investigation by Milk Control Board, Senate Bill No. 353.
 Production and distribution of products of, Senate Joint Resolution No. 17.
 Production and distribution of products of, appropriation for, Senate Bill No. 449.

Milk and Dairy Products:

- Appointment of committee to investigate costs of producing, distributing, etc.Page 83
 Appointment of interim committee to investigate.....Page 808
 Report of committee on investigation of.....Page 337
 Resolution regarding investigation of.....Pages 76, 82
 Senate Concurrent Resolution No. 5, regarding investigation of.....Page 582

Milk Control Account:

- Establishment of, from milk dealers' license fees, Senate Bill No. 353.

Milk Control Board:

- Investigation of milk industry, members to be appointed by governor, Senate Bill No. 353.

Mills, Senator Chapin F.:

- Appointment on committee to investigate milk and dairy products.....Page 83

Mimeographing:

Engrossed Senate Bill No. 427, instructions regarding.....Page 755

Miners Examining Board:

Regulating occupation of coal miners, Senate Bill No. 28.

Mines and Mining:

Assessments on certain mining stocks, Senate Bill No. 446.

Delinquent shares of corporations, sale of under metalliferous mining securities act, Senate Bill No. 481.

Hoist engineer, qualifications of; duties of certain officers in case of fatal accident, House Bill No. 225.

Hoisting engineer to pass examination for competency and physical fitness, Senate Bill No. 183.

Leases on mines, prohibited from selling unless licensed, Senate Bill No. 321.

Mine rescue stations and apparatus, location of, Senate Bill No. 244.

Mining claims to be considered as real property, Senate Bill No. 258.

Roads, providing for mine to market, House Bill No. 192.

Sale of metalliferous mining securities, regulations to be observed, Senate Bill No. 447.

Minors:

Admission of, from reservations of the United States to public schools, Senate Bill No. 167.

Adoption of, regulations for, Senate Bill No. 241.

Adoption of, regulations to be observed, Senate Bill No. 242.

Appeals by, to Department of Social Security, for public assistance, Senate Bill No. 249.

Pinball machines, not to be operated by, Senate Bill No. 291.

Research and service work, appropriation for carrying on, Senate Bill No. 297.

Soldiers, sailors and marines killed during World War, children of, to receive educational opportunities, House Bill No. 78.

Taverns, not allowed in where wines or beer sold, Senate Bill No. 307.

Misdemeanor:

Public official employing one who has filed for public office, Senate Bill No. 55.

Mongolian Race:

Marriage of white race with, prohibited, Senate Bill No. 293.

Monopoly:

Prohibiting unfair competition, discrimination and practices in connection with sale of certain articles to prevent, House Bill No. 282.

Monroe:

Highway between, and Bothell, survey and cost to be made, Senate Bill No. 202.

Montlake Boulevard:

Portion of, deeded to Seattle, Senate Bill No. 289.

Morgan, Senator F. L.:

Protest by, on passage of Senate Bill No. 46.....Page 126

Protest by, on passage of Substitute Senate Bill No. 47.....Page 130

Protest by, on vote on Senate Bill No. 350.....Page 556

Resolution by, regarding including list of Senate employees in Senate JournalPage 784

Morrow, P. Frank:

Adjournment of Senate in honor of.....Page 7

Eulogy by Senator McDonald.....Page 229

Mortgages:

Agricultural and horticultural commodities, except grains, prohibiting sale of, by persons not owning or holding mortgages on, House Bill No. 226.

Chattel, conditional sales contracts to be filed with Director of Licenses, Senate Bill No. 327.

Mortgages—Continued:

- Chattel, filing of, when personal property has been removed from one county to another, Senate Bill No. 178.
- Chattel on motor vehicles, licensing business of making loans on motor vehicles, House Bill No. 96.
- Investment of funds in obligations of national mortgage associations or in debentures issued by the Federal Housing Administration to be unlawful, Senate Bill No. 141.
- Possession of property sold under execution during period of redemption, House Bill No. 55.

Motor Bus:

- Extension and operation of, line to points outside corporate boundaries of any city, Senate Bill No. 92.

Motorcycles:

- License number plate, only one, to be issued to, House Bill No. 473.

Motor Vehicle Fund:

- Appropriations for the relief of certain individuals, firms and corporations, Senate Bill No. 433.
- Appropriation from, for expenses of Department of Highways for administration of Federal funds, Senate Bill No. 392.
- Appropriation of \$210,000.00 from, for retirement of delinquent bonds of Thurston County, Senate Bill No. 57.
- Capital outlay reappropriation from, for Department of Highways, Senate Bill No. 393.
- Distribution of monies of, Senate Bill No. 485.
- Highway protective areas, funds for establishment of, to come from, Senate Bill No. 370.
- Highway reappropriation from, for primary state highway, Senate Bill No. 396.
- Payment of warrants outstanding on highway safety fund, to be paid from, Senate Bill No. 352.
- Permanency of, for road or highway purposes, Senate Bill No. 474.
- Reappropriation from, for maintenance and construction of county roads and city streets, Senate Bill No. 395.
- Secondary state highways, reappropriation from, for salaries, operation, maintenance, etc., Senate Bill No. 394.
- Telander Construction Company, appropriation from, for payment of judgment to, Senate Bill No. 433.

Motor Vehicles:

- Auto mechanics to be licensed to do repair work on, Senate Bill No. 182.
- Bus drivers of, limited to a 10-hour, 210-mile shift, Senate Bill No. 212.
- Common and contract carriers, fees to be paid, Senate Bill No. 184.
- Domestic animal, injury to by, owner to notify proper authorities, Senate Bill No. 140.
- Driving of, unlawful if driven as to endanger lives of other users, Senate Bill No. 236.
- Excise tax on, House Bill No. 80.
- Financial responsibility to be given by owners, Senate Bill No. 25.
- For-rent, proof of financial responsibility by owners and operators of, Senate Bill No. 133.
- Inspection of equipment of, under Washington State Patrol, Senate Bill No. 484.
- Insurance for owners of, Senate Bill No. 117.
- Licensing of, prohibited, which have not passed equipment tests, Senate Bill No. 421.
- Loans, licensing business of making loans on motor vehicles; limiting rate of interest, House Bill No. 96.
- Motor block, upon removal of, dealer to furnish Director of Licenses with certain information, House Bill No. 473.
- Operator's license, 25¢ from each, to go into state parks and parkways fund, House Bill No. 432.
- Parking of, on primary state highways within cities, House Bill No. 123.
- State, county or city- owned, to be used for official business only, House Bill No. 64.

Motor Vehicles—Continued:

Trailers, semi-trailers, motorcycles, only one license number plate to be issued to, House Bill No. 473.

Trucks, trailers and semi-trailers, increasing fees on certain, House Bill No. 397.

Mukilteo:

Everett to, establishment of primary state highway, Senate Bill No. 473.

Municipal Corporations:

Assistant Attorney General to be appointed to office of, Senate Bill No. 252.

Electrical appliances, required to conform to state laws, Senate Bill No. 348.

Operation and extension of motor bus line to points outside corporate boundaries of any city, Senate Bill No. 92.

Parades or meetings, protection of, not to be impeded by any, Senate Bill No. 168.

Municipal Parks:

State lands set aside for, Senate Bill No. 23.

Murder:

Crime of, punishable by life imprisonment, Senate Bill No. 216.

Penalty for, Senate Bill No. 232.

Murfin, Senator A. M.:

Motion by, regarding limitation of debate on floor of Senate.....Pages 546, 614

Protest by, regarding vote on Senate Bill No. 350.....Page 556

Resolution by, regarding investigation of Metropolitan Building Company leasePage 389

Resolution by, regarding mailing list of Senate bills.....Page 55

Murphy, James A.:

Adjournment of Senate in honor of.....Page 7

Eulogy by Senator Lovejoy.....Page 230

Museums:

Art, open to public without charge, exempt from payment of inheritance tax, Senate Bill No. 210.

Inheritance taxes, exempting free art, Senate Bill No. 176.

Music:

Composition of, to be filed with Secretary of State, Senate Bill No. 414.

Narcotics:

Sale of, and treatment of addicts, Senate Bill No. 39.

Narrows Bridge:

Establishment of primary state highway, Senate Bill No. 12.

National Guard:

Aircraft artillery of, to be allotted to this state, Senate Joint Memorial No. 8

City employees' pensions, time served in, not to be deducted from time applied on pensions, House Bill No. 90.

Employees of state, county or city who are members of, entitled to military leave, Senate Bill No. 422.

Native Sons and Daughters:

Members of House and Senate, introduced at Golden Jubilee Session.....Page 329

Group life insurance covering, Senate Bill No. 372.

Natural Resources:

Conservation and development of, supervision of State Planning Council, Senate Bill No. 268.

Fees by claimants to water power to be used for surveys, House Bill No. 177.

Navy:

Armory, navy and marine corps reserve, establishment in Seattle, Senate Bill No. 350.

Children of sailors killed during World War, to have educational opportunities, House Bill No. 78.

Navy—Continued:

- City employees' pensions, time served in, not to be deducted from time applied on pensions, House Bill No. 90.
- State, county and city employees, who are members of, entitled to military leave, plus regular vacation, Senate Bill No. 422.
- World War veterans, rehabilitation of, House Bill No. 25.
- Wrestling and boxing matches, exempt from securing of license, Senate Bill No. 259.

Negligence:

- Abolishing contributory, in certain actions, Senate Bill No. 246.
- Death resulting from action can be brought by executors, Senate Bill No. 248.

Nets:

- Fixed appliance locations for catching of fish, Senate Bill No. 267.

Newly-Elected Senators:

- List ofPage 3

Newspapers:

- Creditors, filing publication of notice to, by executors or administrators, House Bill No. 9.
- Creditors, published notice to, of resignation of executor or administrator, House Bill No. 8.
- Publication of emergency session laws in, Senate Bill No. 275.

Nile Temple Chanters:

- On program for Golden Jubilee Session.....Pages 327, 335

Non-Residents:

- Employment of, prohibiting on public works, House Bill No. 161.

Noodles:

- Regulations to be observed in manufacture and sale of, Senate Bill No. 408.

North Avon:

- Secondary highways, route from Burlington through to vicinity west of, Senate Bill No. 283.

North Pacific Coast:

- Defense of, resolution regarding.....Pages 191, 255

Noxious Weeds:

- Congress, petitioning, to enact legislation and provide funds for control of, House Joint Memorial No. 21.

Nursery Stock:

- Reciprocal agreements with other states to ship stock of licensed nurserymen, House Bill No. 110.
- Taxation, not to be taxed until it can be sold as commercial nursery stock, House Bill No. 380.

Occupational Diseases:

- Compensation for disability or death incurred by employee resulting from, House Bill No. 100.
- Employers, classification of, and rates of contribution to fund by, House Bill No. 191.

Oil:

- Excise tax upon selling of fuel, Senate Bill No. 191.
- Exploration and development on state lands, Senate Bill No. 19.
- Investigation report on.....Pages 676, 717
- Permit for drilling, Senate Bill No. 20.
- Sale of, lease prohibited unless properly licensed, Senate Bill No. 321.
- Waste of petroleum, to be prevented, Senate Bill No. 169.

Oil and Gas Conservation Law:

- Waste and conservation of petroleum oil and natural gas to be regulated by the, Senate Bill No. 169.

- Oil Conservation Fund:**
Oil and gas levies to be placed in, Senate Bill No. 169.
- Okanogan County:**
Appropriation for, Senate Bill No. 433.
- Old-Age Assistance:**
Artificial limbs, eyes, etc., to be provided by Department of Social Security, Senate Bill No. 459.
Eligibility of persons for, Substitute Senate Bill No. 47.
Dog racing receipts, part to go into fund for, Senate Bill No. 339.
General welfare act, asking enactment of, to standardize social security laws, House Joint Memorial No. 7.
- Old Capitol Building:**
Repairs, authorizing State Capitol Committee to make, House Bill No. 20.
- Oliphant, W. S.:**
Message from read at Golden Jubilee Session.....Page 329
- Olympia:**
Appropriation for local improvement districts of, Senate Bill No. 433.
Residents of, resolution extending thanks to.....Page 806
State Adjutant General, authorizing, to sell certain property in, House Bill No. 415.
Vacation of DesChutes waterway in, Senate Bill No. 257.
- Olympic National Park:**
Jurisdiction, state to cede to United States with certain reservations, House Bill No. 41.
- Opportunity Schools:**
Over age or over sized children, require a special curriculum, establishment of, Senate Bill No. 211.
- Oregon:**
Marriage laws, legislative committee of, to meet with Washington committee, resolution from legislature of.....Page 132
Marriage laws, legislative committee of, to meet with Washington committee, Senate Concurrent Resolution No. 3.
- Organization of Senate:**
Appointment of committee to notify House of Representatives of.....Page 7
- Orificial Surgery:**
Definition of, relative to the practice of sanipractic, Senate Bill No. 263.
- Orndorff, Senator W. R.:**
Appointment as member of committee for Golden Jubilee celebration.....Page 95
Appointment as vice-chairman of Revenue and Taxation Committee.....Page 49
- Outing Parks:**
Beer license to, seasonal only, Senate Bill No. 231.
- Oyster Reserve Fund:**
Abolishing; transferring to fisheries fund, House Bill No. 253.
- Pacific Northwest Centennial Exposition:**
Commission to control, providing for state exhibit, construction of buildings, etc., House Bill No. 156.
- Pacific Telephone and Telegraph Co.:**
Appropriation for payment of judgment to, Senate Bill No. 433.
- Painters:**
Licensing and bonding of painting contractors; licensing of journeymen, House Bill No. 223.
- Painters' License Fund:**
Creation of, House Bill No. 223.

Paper Hanging:

Painting contractors and journeymen to be licensed to do, House Bill No. 223.

Parade:

Licensing of a, to be given by local officials, Senate Bill No. 168.

Pardons and Paroles:

Executive, letter from Governor Martin regarding.....Page 258

Pari-Mutuel System:

Dog racing, use of, Senate Bill No. 339.

Taxation on receipts from, Senate Bill No. 354.

Parker, C. E.:

Introduced at Golden Jubilee Session.....Page 328

Parking:

Motor vehicles parking of, on primary state highways within cities, House Bill No. 123.

Parks:

Big Tree State, disposition of, Senate Bill No. 371.

Billboard advertising near, regulations for, Senate Bill No. 221.

Conveyance of state lands to cities and towns for purposes of, and playgrounds, Substitute Senate Bill No. 23.

Metropolitan park districts, contracting indebtedness for parks limited to 3/20 or 1% of taxable property, House Bill No. 134.

Olympic National Park, ceding jurisdiction of, to United States with certain reservations, House Bill No. 41.

Operator's license, 25¢ from each, to go into state parks and parkways fund, House Bill No. 432.

Property acquired by tax foreclosure proceedings may be converted into, Senate Bill No. 347.

Riverside State Park, naming road in, Aubrey L. White Parkway, House Bill No. 235.

Rohrbach, F. L., authorizing exchange of state lands for land owned by, House Bill No. 108.

Salt Creek State Park, establishment of, in Jefferson county, House Bill No. 401.

State, committee, abolishment of, Senate Bill No. 362.

Parks and Parkway Fund:

Appropriation for the relief of certain individuals, firms and corporations, Senate Bill No. 433.

Parole:

Granting and regulating of, Senate Bill No. 254.

Granting and regulating of probations to certain prisoners, Substitute Senate Bill No. 254.

Penitentiary or reformatory, conditions of release from, House Bill No. 240.

Supervision and temporary care of persons paroled from Washington State Penitentiary and State Reformatory, Senate Bill No. 3.

Party Committees:

Vice-chairman to be opposite sex from chairman, House Bill No. 300.

Women given political equality with men on county and state committees, Senate Bill No. 288.

Pastors:

Olympia, who served as chaplains during legislative session, resolution extending thanks toPage 806

Patterson, Vernon D.:

On program for memorial services.....Page 224

Payment Bonds:

Contractors to furnish, on public works projects, Senate Bill No. 351.

Payne, Captain J. Howard:

Address to Golden Jubilee Session.....Page 332
 Appointment as House member of Golden Jubilee Committee.....Page 104

Penalties:

- Agricultural prorated marketing zones, regulations of commission to be observed, Senate Bill No. 336.
- Aliens prohibited from joining labor unions, Senate Bill No. 21.
- American eagle, hunting or killing of, prohibited, Senate Bill No. 381.
- Animals, cruelty to, Senate Bill No. 154.
- Apples, sale of, must meet requirements of Director of Agriculture, House Bill No. 324.
- Architecture, practicing of, under certain conditions, Senate Bill No. 160.
- Assessment when insufficient tax has been paid, Senate Bill No. 113.
- Auto mechanics' licensing act, failure to abide by examination regulations, Senate Bill No. 182.
- Billboard advertising, license for same, Senate Bill No. 221.
- Blasting in settled communities without giving 48 hours' notice, Senate Bill No. 195.
- Blind, procure assistance for one not lawfully entitled to, Senate Bill No. 153.
- Boiler inspection act, violation of, House Bill No. 138.
- Bus driver working in excess of 10 hours or a 210 mile shift, Senate Bill No. 212.
- Butter substitute excise tax, failure by dealer to make return, Senate Bill No. 417.
- Campaign receipts and expenditures, requiring filing of statement, Senate Bill No. 426.
- Chiropractors practicing without license, Senate Bill No. 322.
- Cigarette automatic vending machines prohibited, Senate Bill No. 222.
- Civil service, failure to provide for same by cities and towns, Senate Bill No. 137.
- Civil service regulations, failure to abide by, Senate Bill No. 177.
- Civil service regulations for members of sheriffs' offices, Senate Bill No. 294.
- Coal miners must secure certificate from Miners' Examining Board, Senate Bill No. 28.
- Cold storage locker permits, regulations to be observed, Senate Bill No. 413.
- Commercial fishing in any waters of Puget Sound, Senate Bill No. 158.
- Confectionery rules and regulations to be observed in manufacture and sale of candy, Senate Bill No. 409.
- Contempt of court violators, Senate Bill No. 35.
- Corporation's failure to provide statement of costs involved in the support or defeat of a constitutional amendment or referendum, Senate Bill No. 205.
- County or City Auditor's failure to submit monthly financial report with State Auditor, Senate Bill No. 251.
- Dairy products, for violation of act providing for advertising of, and for assessment of butter fat, House Bill No. 189.
- Dentistry, advertising or publishing statements of merits, Senate Bill No. 264.
- Dog races, license to be secured from commission, Senate Bill No. 339.
- Domestic animal, injury to by vehicle and failure to notify authorities, Senate Bill No. 140.
- Field trials for hunting dogs, certain periods and regulations to be observed, Senate Bill No. 220.
- Firms engaged in games of chance or skill, Senate Bill No. 237.
- Fish traps and pound nets, regulations to be observed, Senate Bill No. 429.
- Foreign game, failure to register same with State Game Commission, Senate Bill No. 365.
- Gift tax return, failure to make, Senate Bill No. 434.
- Gross income tax, failure to file return, Senate Bill No. 192.
- Highway protective areas, regulations to be observed, Senate Bill No. 370.
- Honey, violating law providing for regulating, House Bill No. 227.
- Hours of labor of employees of the state on public works projects, Senate Bill No. 18.
- Hunting and fishing by parties of two or more, regulations to be observed, Senate Bill No. 364.
- Insane persons, aid in bringing into the state, Senate Bill No. 115.
- Installation of plumbing, drainage, etc., failure to abide by rules established by State Plumbing Inspector, Senate Bill No. 326.
- Insurance protection, failure to comply with, Senate Bill No. 123.

Penalties—Continued:

- Insurance companies failure to render certain statements, Senate Bill No. 281.
- Intermarriage of white race with black, brown or yellow races prohibited, Senate Bill No. 293.
- Kidnaping pleas, may be accepted, fixed by court without a jury, Senate Bill No. 233.
- License to hunt or fish, Senate Bill No. 74.
- Macaroni and noodles, manufacture and sale of, regulations to be observed, Senate Bill No. 408.
- Marriage license, issuance of, before three-day notice, Senate Bill No. 71.
- Meats, for violating law relating to inspection and marketing of, House Bill No. 83.
- Milk Control Board, failure to abide by its rules and regulations, Senate Bill No. 353.
- Monopolies, prohibiting unfair competition, discrimination and practices in connection with sale of certain articles to prevent, House Bill No. 282.
- Motor vehicles, being driven recklessly, Senate Bill No. 236.
- Motor vehicles, for violating regulations requiring business making loans on, to be licensed, House Bill No. 96.
- Motor vehicle owner must show financial responsibility, Senate Bill No. 25.
- Music compositions, prohibiting of playing without consent of owner, Senate Bill No. 414.
- Oil and gas drilling without permit, Senate Bill No. 20.
- Oil and gas leases, sale of without license, Senate Bill No. 321.
- Operators of bathhouses, massage parlors, etc., to treat for ailment without proper licenses, Senate Bill No. 41.
- Painting contractors and journeymen, violating act requiring for, House Bill No. 223.
- Parade or meeting not to be restricted, Senate Bill No. 168.
- Petroleum product distributor must be licensed, Senate Bill No. 227.
- Physically disabled, payments made unlawful, Senate Bill No. 270.
- Pinball machines operated without license, Senate Bill No. 291.
- Pinball machines, prohibiting use of, Senate Bill No. 95.
- Pilchards, floating cannery or reduction plant for purpose of reducing same, prohibited, Senate Bill No. 382.
- Plumbers' rules and regulations, observance of, Senate Bill No. 416.
- Products of food processing plants not to be sold, Senate Bill No. 175.
- Prohibit sale of penitentiary or reformatory-made merchandise on open market, Senate Bill No. 29.
- Purchase of goods grown or manufactured in the state for a political subdivision, Senate Bill No. 208.
- Purchasing agents in various counties, regulations to be observed, Senate Bill No. 456.
- Real estate broker operating without license, Senate Bill No. 290.
- Refusal of hospitals to admit patients, Senate Bill No. 159.
- Regional Planning Commission, failure to observe, Senate Bill No. 162.
- Retailers of tobacco products operating without license, Senate Bill No. 67.
- Sale and lease of property within industrial development districts, Senate Bill No. 88.
- Sale of misbranded and falsely advertised foods, drugs and cosmetics, Senate Bill No. 15.
- Sale of narcotics and treatment of addicts, Senate Bill No. 39.
- Sale of restaurant, beer parlor, hotel, without statement listing all creditors, Senate Bill No. 190.
- Sanipractic physicians, examination and regulations to be observed, Senate Bill No. 263.
- School teachers not to be forced to join clubs or organizations, Senate Bill No. 292.
- Shellfish, sale or use of, without permission of Director of Fisheries, Senate Bill No. 194.
- Small loans, making of without license, Senate Bill No. 213.
- State Board of Law Examiners, lawyers to abide by regulations of, Senate Bill No. 329.
- State Liquor Board may arrest without warrant violators of liquor laws, House Bill No. 172.
- Storage of fish, game birds or game animals, regulations to be observed, Senate Bill No. 363.

Penalties—Continued:

- Suits, advertising or soliciting of choses in action for settlement of, Senate Bill No. 314.
- Trailers prohibited from being operated on week ends and holidays, Senate Bill No. 355.
- Tuna regulations to be observed, Senate Bill No. 109.
- Unemployment Compensation and Placement employees liable to, Senate Bill No. 219.
- Uniform for-rent motor vehicle safety responsibility act, violation of, Senate Bill No. 133.
- Unlawful practicing of law, Senate Bill No. 82.
- Used watches to be marked as such, Senate Bill No. 300.
- Wages, underpayment of agreed, certain deductions from, constitute misdemeanor, House Bill No. 128.
- Washington uniform food, drug and cosmetic act, violation of, Senate Bill No. 315.
- Waste of natural gas and petroleum oil, Senate Bill No. 169.
- Wine or beer, sale of to minors, Senate Bill No. 307.
- Witness, failure to answer summons, Senate Bill No. 97.

Pend Oreille County:

- Appropriation for, Senate Bill No. 433.

Pensions:

- Assistance given those, over 65 years of age, citizens of the United States, Senate Bill No. 132.
- City employees to receive, House Bill No. 90.
- Firemen, full-paid and volunteer members of department to come under firemen's relief and pension fund, House Bill No. 35.
- General welfare act, asking enactment of, to standardize social security laws, House Joint Memorial No. 7.
- Income tax, exemption of, from assessment, Senate Bill No. 192.
- Old-age assistance to be provided by Department of Social Security, Senate Bill No. 46.
- Petitioning Congress to make adequate provision for old age assistance in the general welfare act, Senate Joint Memorial No. 2.
- Police, appropriation to come from general fund, Senate Bill No. 203.
- Police fund for, 5% from monthly compensation for, Senate Bill No. 143.
- Policemen, retirement of, Senate Bill No. 96.
- Retirement system for public school employees to have "pension reserve," House Bill No. 29.

Performance Bonds:

- Contractors to furnish, on public works projects, Senate Bill No. 351.

Perham, Ben:

- Appointment to board of regents of State College of Washington.....Page 424
- Confirmation of appointment of.....Page 456

Personal Property:

- Assessment at its true and fair value in money, Senate Bill No. 102.
- Assessments, providing for cancellation or reduction of, on property erroneously assessed, House Bill No. 103.
- Assessments to be annually on monthly average basis, House Bill No. 175.
- Bequest of, to another state, exempt from inheritance tax, under certain conditions, Senate Bill No. 210.
- Chattel mortgage, removal from one county to another, Senate Bill No. 178.
- Common school fund, 5-mill maximum tax on all state taxable property toward, House Bill No. 184.
- Estate consisting of, worth less than \$250, appraisalment dispensed with, House Bill No. 425.
- Excise or tax, providing for levy and collection of, on tangible, House Bill No. 87.
- Exemption of certain intangible, Senate Bill No. 298.
- Exemptions of, from execution and attachment, Senate Bill No. 170.
- First and second-class cities selling, at public auction to refund money plus interest to owner trying to reclaim same, House Bill No. 314.
- Fur bearing animals to be classified as, Senate Bill No. 243.

Personal Property—Continued:

- Insurance on, owned by state or municipal corporation, Senate Bill No. 123.
- Limiting annual rate of levy to forty mills on, Senate Bill No. 487.
- Mines or quarries, any personal property connected with to be assessed separately, House Bill No. 80.
- Private carrier transporting, may be allowed a price differential in fixing delivered selling price, Senate Bill No. 450.
- Purchase of, by Washington Toll Bridge Authority, for ferry services, Senate Bill No. 253.
- Re-assessment and re-taxation of, Senate Bill No. 207.
- Tax levies upon, not to exceed forty mills on the dollar of assessed valuation, Senate Joint Resolution No. 10.
- Taxation, determination of, to be by demand of, Senate Bill No. 166.
- Taxation, exempting certain property, property shipped from the state, House Bill No. 263.
- Taxation of, and collection of, by County Treasurer, Senate Bill No. 122.
- Taxation on, produced, manufactured for purpose of sale or resale, to be taxed on basis of average monthly inventory, Senate Bill No. 282.
- Taxation on tangible personal property purchased or manufactured for commercial use, Senate Bill No. 49.
- Transfer of, as a gift, taxation imposed, Senate Bill No. 434.
- Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.
- University Board of Regents, authorizing acceptance of gifts from private sources; disposition of, House Bill No. 204.

Petroleum:

- Tax on liquefiable, products, Senate Bill No. 227.

Petroleum Navigation Co.:

- Appropriation for payment of judgment to, Senate Bill No. 433.

Pharmacists:

- Amytal, luminal, veronal, and derivatives, prohibiting and regulating sale of, House Bill No. 325.
- Prescription required to sell amytal, luminal, veronal, etc., or their derivatives, House Bill No. 11.
- Prescriptions, drug and medical, preservation and inspection of, House Bill No. 58.
- Prophylactics, retailers or wholesalers of certain, must have licenses, House Bill No. 60.

Photographs:

- Senate members, resolution regarding.....Page 807

Physically Disabled Persons:

- Care of, by Department of Social Security, Senate Bill No. 270.

Physicians:

- Amytal, luminal, veronal, and derivatives, prohibiting and regulating sale of, House Bill No. 325.
- Blind to receive free examination by, Senate Bill No. 187.
- County physicians to take over duties of coroners in certain counties, Senate Bill No. 31.
- Hospitals' refusal to admit, for attendance to patients, Senate Bill No. 159.
- Medical examination prior to issuance of marriage license by, Senate Bill No. 373.
- Personal property, exemptions of from execution and attachment, Senate Bill No. 170.
- Prescription from, required for pharmacist to sell amytal, luminal, veronal, etc., or their derivatives, House Bill No. 11.
- Sanipractic examination and licensing of, Senate Bill No. 263.
- Syphills examination to be given by, for pregnant women, Senate Bill No. 374.

Picketing:

- Licensing of, not to be enforced by city authorities, Senate Bill No. 168.

Pierce's Code:

- Gift of eight volumes of, to Senate, by Frank Pierce.....Page 46

Pilchards:

Floating cannery or reduction plant for the reducing of, prohibited, Senate Bill No. 382.

Floating reduction plants, licensing those processing pilchards, House Bill No. 409.

Pilots:

Wages to be paid, Senate Bill No. 401.

Port commissioners, election of in, Senate Bill No. 387.

Pinball Machines:

Licensing of, Senate Bill No. 291.

Prohibiting use of, Senate Bill No. 95.

Playgrounds:

Conveyance of state lands to cities and towns for park and, purposes, Substitute Senate Bill No. 23.

Conveyance of state lands to cities of the first class, for purposes of, Senate Bill No. 23.

Metropolitan park districts, contracting indebtedness for playgrounds limited to 3/20 of 1% of taxable property, House Bill No. 134.

Metropolitan park districts, one-third of funds raised from taxation of, to be used for playgrounds, House Bill No. 37.

Pinball machines, prohibited from being operated within 800 feet of, Senate Bill No. 291.

Property acquired by tax foreclosure proceedings may be converted into recreational, Senate Bill No. 347.

Plumbers:

Examinations prior to engaging in work as journeyman or master, Senate Bill No. 416.

Plumbers' Code Account of the State Department of Health:

Plumbers' fees, fines, charges to be credited to, Senate Bill No. 416.

Point Roberts:

Highways on, to be made part of secondary state highway system, Senate Bill No. 369.

Poison:

Occupational disease, compensation for disability or death incurred by employee resulting from, House Bill No. 100.

Police:

Bond to be furnished by, in amount of \$3,000.00, Senate Bill No. 250.

Civil service, cities and towns to provide regulations for enactment of act, Senate Bill No. 137.

Fresh pursuit, giving peace officers of other states right to pursue and arrest criminals in this state, House Bill No. 244.

Justice of the peace, cities with commission form of government, commission to appoint, as police court judge, House Bill No. 171.

Matrons, appointment of, House Bill No. 369.

Olympic National Park, United States to assume police jurisdiction of, House Bill No. 41.

Pension fund for, deduction of 5% from monthly compensation of, Senate Bill No. 143.

Pension of, appropriation to be made from general fund, Senate Bill No. 203.

Retirement of, for pension purposes, Senate Bill No. 96.

Police Court Judge:

Election of, in cities of the first class, Senate Bill No. 81.

Justice of peace to be appointed as, in first-class cities; to preside over municipal court, House Bill No. 217.

Justice of the peace, cities with commission form of government to appoint, as police court judge, House Bill No. 171.

Qualifications and appointment, commission form of government, Senate Bill No. 34.

Police Matrons:

Appointment of, House Bill No. 369.

Police Pension Fund:

Deduction of 5% from monthly compensation of police for, Senate Bill No. 143.

Personal property sold at public auction in first and second-class cities to be deposited in, House Bill No. 314.

Port Commissions:

Create industrial development districts in port districts, Senate Bill No. 88.

Port Districts:

Establishment, acquisition and improvement of industrial development districts in, Senate Bill No. 88.

Port commissioners, election of in, Senate Bill No. 387.

Shipyards, construction of by, having population of 300,000, Senate Bill No. 261.

Port Gamble:

Belfair to, scenic highway survey to be made by department of highways, Senate Bill No. 404.

Port of Port Angeles:

Appropriation for payment of judgment to, Senate Bill No. 433.

Port Orchard:

Colby to, establishment of secondary state highway, Senate Bill No. 345.

Port Townsend:

Harbor lines, relocation and reestablishment of inner and outer, in front of, House Bill No. 92.

Postmaster of Senate:

George E. Ryan, resolution expressing appreciation to.....Page 808

Poultry:

License required to sell agricultural products on commission, House Bill No. 135.

Washington State Poultry Congress Committee, duties of, Senate Bill No. 384.

Pound Nets:

Areas in which use of, for fishing may be permitted, Senate Bill No. 405.

Establishment of, in vicinity of Whatcom county to Patos Island, Senate Bill No. 429.

Precinct Committeemen:

State and county party committees, vice-chairman to be opposite sex from chairman, House Bill No. 300.

Women given political equality with men on county and state committees, Senate Bill No. 288.

Precincts:

City elections in third and fourth-class cities, consolidation of precincts for, House Bill No. 111.

Premiums:

Tax on, insurance policies of two and one quarter per cent, collected by insurance companies, Senate Bill No. 281.

Prescriptions:

Amytal, luminal, veronal, and derivatives, prohibiting and regulating sale of, House Bill No. 325.

Drug and medical, preservation and inspection of, House Bill No. 58.

Presentation of Gifts:

By Senate, to Lieutenant-Governor Meyers and wife.....Page 739

By Senate, to President Pro Tempore Keiron W. Reardon.....Page 739

President of the United States:

Address legislature by telephone, February 22, Senate Joint Resolution No. 7.

Letter from, to Lieutenant-Governor Victor A. Meyers, regarding Fourth General Assembly of Council of State Governments.....Page 59

- President of the United States—Continued:**
 Message from, read at Golden Jubilee Session.....Page 332
 Red cedar shingle industry, asking for hearing because of loss of trade due to reciprocal trade agreement with Canada, House Joint Memorial No. 8.
- President Pro Tempore of the Senate:**
 Election of Senator Keiron W. Reardon as.....Page 4
 Presentation of gift to.....Page 739
- Preston, Harold:**
 Adjournment of Senate in honor of.....Page 7
 Eulogy by Senator Shorett.....Page 230
 Remarks of Senator Metcalf.....Page 232
- Primary State Highway:**
 From Blyn to Seattle, via Discovery Bay, letter of transmittal of survey by Department of Highways.....Page 112
- Printing:**
 Legislative manual, printing of, for 1939 session, House Concurrent Resolution No. 4.
 Oil industry investigation report.....Pages 696, 717
 Public documents, duties of State Printer relating to, House Bill No. 284.
 Session laws of 26th session, \$3500 for temporary publication of, House Bill No. 119.
- Prison Reimbursement Act:**
 State penal institutional prisoners, possessed of real estate, to pay for own maintenance, Senate Bill No. 314.
- Prison Terms and Paroles:**
 Board of, appointment of members of by Governor.....Page 424
 Confirmation of appointments.....Page 458
- Prisoners:**
 Bail bonds executed for consideration, surety must deposit cash bail or surety bond, House Bill No. 389.
 Honor camps, certain prisoners from state prisons to be sent to, House Bill No. 242.
 Probations, granting and regulating of, Substitute Senate Bill No. 254.
 Reimbursement of sixty cents per day while in institutions to be charged certain, Senate Bill No. 314.
 Release from penitentiary and reformatory, conditions of, House Bill No. 240.
- Prisoners' Aid Fund:**
 Paroled or released persons of state penitentiary or reformatory, Senate Bill No. 3.
- Private Carrier:**
 Price differentials may be set by, in fixing delivered selling price of his property, Senate Bill No. 450.
- Probation:**
 Granting and regulating of, Senate Bill No. 254.
 Granting and regulating of, Substitute Senate Bill No. 254.
- Process Service Fees:**
 State departments exempt from payment of any county, Senate Bill No. 453.
- Proclamation:**
 Council of State Governments, regarding Fourth General Assembly.....Page 59
- Program:**
 Golden Jubilee Session, joint session of Senate and House.....Page 327
 Memorial services, joint session of Senate and House.....Page 224
- Prophylactics:**
 License required of wholesaler or retailer to sell certain, House Bill No. 60.
- Proration Zone:**
 Districts relative to agricultural market proration, Senate Bill No. 336.

Prosecuting Attorney:

- Board of Tax Appeals, member to be, Senate Bill No. 340.
- Collection agencies, bond required for operation of; Prosecuting Attorney to enforce, House Bill No. 70.
- Coroner's duties assigned to, in certain counties, Senate Bill No. 31.
- Enforcement of duties of, relative to payment of wages for labor in private employment, Senate Bill No. 303.
- Exercising certain duties of, by the Attorney General, Senate Bill No. 84.
- Owners of unauthorized dam or storage of water works, to be prosecuted by, Senate Bill No. 111.
- Owners of unauthorized flood control projects to be prosecuted by, Senate Bill No. 110.
- Police communication system, one member of advisory board to be, Senate Bill No. 338.
- Proceedings against those who have violated the regional planning act, Senate Bill No. 162.
- Uniform food, drug and cosmetic act, regulations to be enforced by, Senate Bill No. 315.

Protests:

- Atkinson, Senator N. P., regarding Substitute Senate Bill No. 47.....Page 130
- Farquharson, Senator Mary U., regarding Senate Bill No. 350.....Page 556
- Kerstetter, Senator G. B., regarding Senate Bill No. 427.....Page 571
- Kerstetter, Senator G. B., regarding Senate Bill No. 48.....Page 135
- Kerstetter, Senator G. B., regarding state expenditures.....Page 782
- Koontz, Senator J. M., regarding Senate Bill No. 350.....Page 556
- Kyle, Senator H. I., regarding Substitute Senate Bill No. 47.....Page 130
- Kyle, Senator H. I., regarding Senate Bill No. 350.....Page 556
- Malstrom, Senator Kathryn E., regarding Senate Bill No. 427.....Page 571
- Morgan, Senator F. L., regarding Senate Bill No. 46.....Page 126
- Morgan, Senator F. L., regarding Substitute Senate Bill No. 47.....Page 130
- Morgan, Senator F. L., regarding Senate Bill No. 350.....Page 556
- Murfin, Senator A. M., regarding Senate Bill No. 350.....Page 556
- Thomas, Senator Paul G., regarding Substitute Senate Bill No. 47.....Page 130
- Voyce, Senator Thomas, regarding Substitute Senate Bill No. 47.....Page 130

Public Assistance:

- Appeals to Department of Social Security by those dissatisfied with decisions on their applications for, Senate Bill No. 249.
- Blind to receive, when total income and resources less than \$900.00, Senate Bill No. 187.
- Defining of, and setting forth legislative intent in relation thereto, Senate Bill No. 47.
- Eligibility of persons who shall receive, Senate Bill No. 427.
- Employed to provide for their unemployed relatives, Senate Bill No. 48.
- Physically disabled to receive, not less than \$40.00 per month, Senate Bill No. 270.
- Qualifications necessary to receive, Senate Bill No. 206.
- Social Security Department to give, Senate Bill No. 444.
- Unemployed and aged, to be provided with artificial limbs, eyes, etc., by Department of Social Security, Senate Bill No. 459.

Public Documents:

- State Printer and State Librarian, duties relating to public documents, House Bill No. 284.

Public School Employees Retirement System:

- Non-certificated school employees to be eligible for retirement fund, Substitute, House Bill No. 29.

Public Service Department:

- Investigation of, resolution regarding.....Page 351

Public Service Revolving Fund:

- Chicago, Milwaukee, St. Paul & Pacific Railroad Co., appropriation from, for payment of judgment to, Senate Bill No. 433.
- Great Northern Railway Co., appropriation from, for payment of judgment to, Senate Bill No. 433.
- Northern Pacific Railway Co., appropriation from, for payment of judgment to, Senate Bill No. 433.
- Oregon, Washington Railroad and Navigation Co., appropriation from, for payment of judgment to, Senate Bill No. 433.

Public Utilities:

- Appropriating \$300,000 to Department of Public Service for investigation of telephone utilities, House Bill No. 524.
- Cities of the fourth class, disposition of surplus earnings of public utilities in, House Bill No. 152.
- Commissioners authorized to issue bonds and warrants in connection with, Senate Bill No. 200.
- Control of, by Washington Utility District Authority, Senate Bill No. 199.
- Department of Public Service, utilities to pay cost of certain investigations, House Bill No. 535.
- Irrigation districts, authorizing board to release lands for highway purposes, House Bill No. 126.
- Operation and disposal of, by districts, Substitute Senate Bill No. 200.
- Purchase of, submission to electors of community, Senate Bill No. 230.
- Resale of, service; firm or corporation must first secure authority from Department of Public Service, Senate Bill No. 280.
- Sewer systems, construction by, Senate Bill No. 306.
- Telephone and telegraph service, interference by electrical lines to be eliminated, House Bill No. 536.

Public Utility District Commissioners:

- Term of office of, Senate Bill No. 198.
- Term of office of, Substitute Senate Bill No. 198.
- Water and power resources, conservation of, by, Senate Bill No. 199.

Public Utility Districts:

- Acquisition of certain public utilities owned by cities and towns, Senate Bill No. 341.
- Acquisition of public utilities by, Substitute Senate Bill No. 200.
- Acquisition of public utility by, submitted to electors, Senate Bill No. 230.
- Commissioners of, may be elected in a special election, Senate Bill No. 198.
- Election of commissioners of, Senate Bill No. 148.
- Electricity sold by, to be regulated by Department of Public Service, Senate Bill No. 256.
- Electrical system owned by, under supervision of Department of Public Service, Senate Bill No. 480.
- Sale, redemption, funding and refunding of revenue bonds, Senate Bill No. 200.
- Term of office of commissioners, Substitute Senate Bill No. 198.

Public Works:

- Aliens and non-residents prohibiting employment of, on public works, House Bill No. 161.
- Construction of, by public utility districts, issuance of bonds, Senate Bill No. 200.
- Hours of employees on, Senate Bill No. 18.

Puget Island:

- Bridge, completion of, across Columbia Slough from Puget Island to Cathlamet, House Bill No. 406.

Puget Mill Company:

- Appropriation for relief of, Senate Bill No. 437.

Puget Sound:

- Pound net areas in, established by Department of Fisheries, Senate Bill No. 295.
- Shipbuilding plant, freight and passenger line between here and Orient to be established, House Joint Memorial No. 2.

Pullman:

Secondary state highway from east of, to north of, Senate Bill No. 337.

Quit Claim Deeds:

State of Washington to transfer certain real estate to Great Northern Railway Co.,
Senate Bill No. 72.

State of Washington to transfer certain real estate to Great Northern Railway Co.,
Senate Bill No. 73.

Rabies:

Dogs, appropriation to eradicate rabies, House Bill No. 277.

Dogs and cats, eradication of rabies, House Bill No. 385.

Racing:

Race meets, use of pari-mutuel system, Senate Bill No. 339.

Radio:

Extrahazardous employment, installing and servicing radios defined as, House Bill
No. 91.

Liquor advertising on, asking Congress to prevent, Senate Joint Memorial No. 13.

Railroad Retirement Board:

Unemployment Compensation Commissioner to make agreements with, relative to
free employment service facilities, Senate Bill No. 219.

Unemployment Compensation Commissioner to make agreements with, relative to
free employment service facilities, Substitute Senate Bill No. 219.

Railroad Unemployment Insurance Fund:

Funds of unemployment trust fund to be transferred to, Senate Bill No. 219.

Funds of unemployment trust fund to be transferred to, Substitute Senate Bill
No. 219.

Railroads:

Bill board advertising near, regulations for, Senate Bill No. 221.

Common carrier railroad operating as plant facility to extent of 80% or more of
its business, tax rate on, House Bill No. 487.

Log-hauling cars to be equipped with reflector buttons, Senate Bill No. 112.

Real Estate:

Brokers of, licensing of, for sale of, Senate Bill No. 290.

Liquor, buildings, etc., where liquor is illegally disposed of declared common nuisance,
House Bill No. 172.

Possession of property sold under execution during period of redemption, House Bill
No. 55.

Salesmen, licensing and regulating duties of, Senate Bill No. 290.

Real Estate Brokers' Fund:

Establishment of, Senate Bill No. 290.

Real Property:

Actions for foreclosure of delinquent taxes on, procedure to follow, Senate Bill
No. 477.

Annual listing and assessment of, House Bill No. 175.

Assessment of, excluding repairs to home, Senate Bill No. 330.

Assessed at its true and fair value in money, Senate Bill No. 102.

Assessment of fifty per cent of its true and fair value in money, Senate Bill No. 56.

Assessments, providing for cancellation or reduction of, on property erroneously
assessed, House Bill No. 103.

Billboard advertising upon, written consent of owner must be received, Senate
Bill No. 221.

Board of Tax Appeals, equalization of the assessment of, Senate Bill No. 340.

Common school fund, 5-mill maximum tax on all state taxable property toward,
House Bill No. 184.

Flood control, acquiring of, for construction of dams, dikes, levees, etc., Senate
Bill No. 320.

Flood damage, to, prevention of, Senate Bill No. 344.

Real Property—Continued:

- Insurance on, owned by state or municipal corporation, Senate Bill No. 123.
 Liens, enforcement of, against real property for labor and material, House Bill No. 6.
 Limiting annual rate of levy to forty mills on, Senate Bill No. 487.
 Liquor, buildings, etc., where liquor is illegally disposed of, declared common nuisance, House Bill No. 172.
 Metropolitan park districts, taxes limited to 2½ mills on property, in, House Bill No. 37.
 Mining claims to be considered as, Senate Bill No. 258.
 Oil and gas leases, one prohibited from selling, Senate Bill No. 321.
 Olympia, authorizing State Adjutant General to sell certain property in, House Bill No. 415.
 Parks and playgrounds, lands acquired through tax foreclosures may be converted into recreational centers, Senate Bill No. 347.
 Possession of property sold under execution during period of redemption, House Bill No. 55.
 Publicly owned, to be taxed as if privately owned, Senate Joint Resolution No. 11.
 Purchase of, by Washington Toll Bridge Authority, for ferry services, Senate Bill No. 253.
 Reassessment and retaxation of, Senate Bill No. 207.
 Recording of by recording officer, Senate Bill No. 201.
 Recovery of same held for rent, Senate Bill No. 36.
 Residence to be exempt from taxation up to \$1,000.00 of its true and fair value in money, Senate Bill No. 468.
 Sale of, by counties acquired for taxes, procedure for releasing part of tract to purchaser, House Bill No. 364.
 Sale of, by county commissioners to state or United States, Senate Bill No. 332.
 Sale of, for delinquent taxes, detailed procedure to be followed, Senate Bill No. 478.
 Sale of, for taxes, 90-day notice to be given owners, Senate Bill No. 431.
 Sewerage system, authorizing connections with city system, from property located outside city limits, House Bill No. 117.
 Tax districts, setting date for establishing boundaries of, House Bill No. 163.
 Tax levies upon, not to exceed forty mills on the dollar of assessed valuation, Senate Joint Resolution No. 10.
 Taxation, determination of, to be by demand of, Senate Bill No. 166.
 Transfer and conveyance of, Senate Bill No. 432.
 Transfer of, as a gift, taxation imposed, Senate Bill No. 434.
 University Board of Regents, authorizing acceptance of gifts from private sources; disposition of, House Bill No. 204.

Reardon, Keiron W.:

- Election of, as President Pro Tempore of the Senate.....Page 4
 Presentation of gift to by members of the Senate.....Page 739
 Resolution by, extending thanks to the Senate employees.....Page 807
 Resolution by, regarding adoption of 1937 rules as permanent rules of 1939 sessionPage 5
 Resolution by, regarding committee to notify House of organization of the SenatePage 7

Recall Elections:

- Charges to be first substantiated before superior court, Senate Bill No. 407.

Reciprocal Agreements:

- Nursery stock, licensed nurserymen from other states to ship without license fees, House Bill No. 110.
 Reciprocity agreement with other states for pursuit of criminals, House Bill No. 244.
 Red cedar shingle industry, asking President for hearing because of loss of trade due to trade agreements with Canada, House Joint Memorial No. 8.

Reclamation Revolving Fund:

- Appropriation from, for clerk of Thurston County, Senate Bill No. 433.
 Water power, fees by claimants of, to be paid into fund, House Bill No. 177.

Reconstruction Finance Corporation:

- Municipally-owned street railway, authorizing certain cities to borrow from Reconstruction Finance Corporation, House Bill No. 323.

Records:

- Destroying same by Tax Commission relative to tax liabilities, after five years, Senate Bill No. 113.
- Surveys, public record required of certain, House Bill No. 315.

Red Cedar Shingle Industry:

- Reciprocal trade agreement with Canada caused loss of trade; asking President for hearing, House Joint Memorial No. 8.
- Resolution regarding saving of.....Page 421

Redemption Tickets:

- Furnishing of, by the manufacturer of the merchandise, Senate Bill No. 43.

Refrigeration:

- Extrahazardous employment, installing and servicing electrical refrigerators defined as, House Bill No. 91.
- Ship refrigeration service between Washington state ports and other world ports to be established, House Joint Memorial No. 2.

Registration:

- Elections, County Auditor to be registrar for rural precincts; City Clerk, for city precincts, House Bill No. 33.
- Land titles, revised procedure for, Senate Bill No. 179.
- Voters, can be transferred from an incorporated city to a city, Senate Bill No. 165.

Rehabilitation:

- Harbor defenses of Puget Sound area, Senate Joint Memorial No. 9.

Relatives:

- Responsibility of, in caring for needy persons, Senate Bill No. 427.

Relief:

- Eligibility of persons to receive, Senate Bill No. 427.

Religion:

- Inheritance tax, exemption of, on certain transfers of property from this state to religious organizations of other states, House Bill No. 425.

Remedial Schools:

- Physically handicapped children, require individual instruction, Senate Bill No. 211.

Rent:

- Recovery of real property unlawfully detained for, Senate Bill No. 36.

Reorganization of School District Act:

- Establishment of, members of and duties thereof, Senate Bill No. 335.

Reservations:

- Admission of children from, to public schools, Senate Bill No. 167.

Resolutions:

- Adjournment of Senate in memory of certain former members.....Page 7
- Adjournment of legislature *sine die*, Senate Concurrent Resolution No. 6.
- Apportionment of districts relative to legislative representation, Senate Joint Resolution No. 15.
- Approach to University of Washington campus, construction of.....Page 676
- Bills, Senate, mailing lists of, for senators.....Page 55
- Clarence J. Lord home, gift to state, Senate Joint Resolution No. 18.
- Closing business of Senate.....Page 807
- Closing of legislature, consideration of bills after certain hours, Senate Concurrent Resolution No. 4.
- Committees of Senate, revision of.....Page 654
- Committee rooms, proposal to change Roads and Bridges and Revenue and Taxation committee roomsPage 785
- Convention to revise and amend the constitution, Senate Joint Resolution No. 9.
- Conyard, Louis, tribute to.....Page 23
- Council of State Governments, fourth general assembly of, appointment of Lieutenant-Governor Victor A. Meyers as delegate to.....Page 60

Resolutions—Continued:

- Dairy industry, investigation of.....Pages 76, 82
- Defense of North Pacific Coast.....Pages 191, 255
- Employees, Senate, listing in Senate Journal.....Page 784
- Employees, Senate, to be carried on payroll until final adjournment.....Page 785
- Employees, Senate, extending appreciation to.....Page 807
- Flag week, observance of in all schools, homes, etc., Senate Joint Resolution No. 13.
- Fourth estate, extending thanks to, by Senate.....Page 806
- Golden Jubilee Committee, appointment of, Senate Concurrent Resolution No. 2.
- Golden jubilee seal on senators' stationery.....Page 45
- Governor to be notified that legislature is organized, House Concurrent Resolution No. 1.
- Hall, Oliver, extending greetings to.....Page 243
- Income taxes to be imposed by legislature, exemptions thereof, Senate Joint Resolution No. 14.
- Investigation of dairy industryPages 76, 82
- Investigation of Metropolitan Building Company lease.....Page 389
- Investigation of production and distribution of milk and milk products, Senate Joint Resolution No. 17.
- Joint rules of 25th session to be rules of 26th session, Senate Concurrent Resolution No. 1.
- Joint session, February 22, to observe Golden Jubilee, Senate Joint Resolution No. 7.
- Joint session to hear Governor's message, House Concurrent Resolution No. 2.
- Journal of Senate, compiling, indexing, etc., of.....Page 808
- Legislative manual, printing of, for 1939 session, House Concurrent Resolution No. 4.
- Legislative members' compensation, to be fixed by law, Senate Joint Resolution No. 12.
- Lewis, Alonzo Victor, named "Sculptor Laureate" of Washington.....Page 287
- Liability of stockholders in corporations to be limited, Senate Joint Resolution No. 8.
- Limiting property tax levies to 40 mills, Senate Joint Resolution No. 4.
- Lord, Clarence J., home, gift to state, Senate Joint Resolution No. 18.
- Marriage laws, conference with state of Oregon, Senate Concurrent Resolution No. 3.
- McCroskey, Earle M., extending appreciation to, by Senate.....Page 807
- Memorial services at joint session, February 13, House Concurrent Resolution No. 3.
- Metropolitan Building Company lease of University of Washington property, investigation ofPage 389
- Milk and milk products, investigation of production and distribution of, Senate Joint Resolution No. 17.
- Milk and milk products, investigation of.....Pages 76, 82
- Newspaper men, extending thanks to, by Senate.....Page 806
- Olympia pastors, extending thanks to, by Senate.....Page 806
- Olympia residents, extending thanks to for courtesies.....Page 806
- Organization of Senate, appointment of committee to notify House of.....Page 7
- Pastors of Olympia, extending thanks to, by Senate.....Page 806
- Photographs of members of Senate.....Page 807
- Publicly owned property to be taxed as if privately owned, Senate Joint Resolution No. 11.
- Public service, department of, investigation of.....Page 351
- Red cedar shingle industry.....Page 421
- Repealing section 7 of article XI, Senate Joint Resolution No. 1.
- Return ball to be given by legislators, House Concurrent Resolution No. 6.
- Revision of Senate standing committees.....Page 654
- Rule 65, amendment of.....Page 81
- Rules of 1937 session, adoption of as permanent rules of 1939 session.....Page 5
- Salary of State Auditor, fixed by legislature, Senate Joint Resolution No. 5.
- Salaries of state officers, and legislature, to be set by legislature, Senate Joint Resolution No. 16.
- "Sculptor Laureate" of Washington, naming Alonzo Victor Lewis as.....Page 287
- Session laws, certification of.....Page 807
- Single legislative body, with legislative council, Senate Joint Resolution No. 3.
- Social Security Department, investigation of by joint legislative committee, House Joint Resolution No. 4.
- State Governments, Council of, fourth general assembly, appointment of Lieutenant-Governor Victor A. Meyers as delegate to.....Page 60

Resolutions—Continued:

- State treasurer's office, abolished, Senate Joint Resolution No. 6.
 Supervision of Senate chamber, equipment, etc.....Page 807
 Taxation and special assessments, Senate Joint Resolution No. 10.
 Tax CommissionPages 242, 250
 Un-American activities in State of Washington, investigation of.....Pages 51, 58
 War materials, shipment of to Japan.....Page 475

Restaurants:

- Bottled beer to be sold by, license for, Senate Bill No. 217.
 Vendor of, to give statement of all creditors, before sale of, Senate Bill No. 190.

Retailers:

- Commercial feeds, fertilizers and livestock remedies, retailers of required to have license, House Bill No. 351.
 Monopolies, prohibiting unfair competition, discrimination and practices in connection with sale of certain articles to prevent, House Bill No. 282.

Return Ball:

- Legislators to give, for citizens of Olympia, House Concurrent Resolution No. 6.

Revenue Bill:

- Letter from Governor Martin in regard to.....Page 506

Revenue Bond Law of 1939:

- Issuance of bonds, permitting municipalities to construct or improve certain revenue producing undertakings, Senate Bill No. 286.

Revision:

- Senate committees, resolution regarding.....Page 654
 Senate rules, appointment of interim committee on.....Page 785

Rights of Way:

- Fairmont Cemetery Association, to receive certain state lands in Spokane county, in return for certain grants across their land, House Bill No. 109.
 United States government establishing, over state lands, House Bill No. 285.

River Improvement Districts:

- Organization and financing of, repealing statute, Senate Bill No. 319.

Rivers:

- Improvement districts, Senate Bill No. 319.
 Navigability of, to be determined by Commissioner of Public Lands, Senate Bill No. 390.
 Navigability of, assistance given by soil conservation committee, Senate Bill No. 343.

Riverside State Park:

- Aubrey L. White Parkway, naming existing road within park, House Bill No. 235.
 Rohrbach, F. L., authorizing exchange of state lands for land owned by, House Bill No., 108.

Roads and Bridges Committee:

- To change committee rooms with Revenue and Taxation Committee, resolution regardingPage 785

Roadside Advertising Fund:

- Fees from billboard advertisers to be placed in, Senate Bill No. 221.

Roberts, Senator Joseph D.:

- Explanation of vote by, on motion to table amendment to Senate Bill No. 79Page 145
 Explanation by, of reason for not voting on House Bill No. 323.....Page 461
 Resolution by, regarding defense of North Pacific Coast.....Pages 191, 255
 Resolution by, regarding Golden Jubilee seal.....Page 45
 Resolution by, regarding naming of Alonzo Victor Lewis as "Sculptor Laureate" of WashingtonPage 287
 Quotation of article supporting position of, on Substitute Senate Bill No. 200.....Page 503

Rohrbach, F. L.:

State lands, authorizing exchange of, for lands owned by, House Bill No. 108.

Rosenhaupt, Harry:

Adjournment of Senate in honor of.....Page 7
Eulogy by Senator Duggan.....Page 232

Rosellini, Senator Albert D.:

Explanation of vote on Senate Bill No. 427.....Page 571

Roosevelt, Franklin D., President of the United States:

Letter from, to Lieutenant-Governor Victor A. Meyers, regarding fourth general
assembly of council of state governments.....Page 59
Message from, read at Golden Jubilee Session.....Page 332

Rules, Senate:

1937 session, adopted as permanent rules of 1939 session.....Page 5
No. 65, resolution amending.....Page 81
Revision of, appointment of interim committee for.....Page 785

Ryan, George E.:

Senate postmaster, resolution expressing appreciation of.....Page 808

Safety Apparatus:

Location of, in coal mines and monthly inspection of, Senate Bill No. 244.

Sailors:

Children of those killed during the World War provided with educational oppor-
tunities, House Bill No. 78.
World War veterans, rehabilitation of disabled, House Bill No. 25.

Salary Fund:

First-class cities, authorizing, to establish salary fund, House Bill No. 458.

Sales:

Agricultural and horticultural commodities, except grains, prohibiting sale of, by
persons not owning or holding mortgages on, House Bill No. 226.
Apples, sale of, must be in compliance with requirements of Director of Agriculture,
House Bill No. 324.
Commercial feeds, fertilizers and livestock remedies, retailers of required to have
license, House Bill No. 351.
Honey, regulating sale and marketing of, House Bill No. 227.
Monopolies, prohibiting unfair competition, discrimination and practices in con-
nection with sale of certain articles to prevent, House Bill No. 282.
Sale of property acquired by county for taxes, procedure for releasing part of tract
to purchaser, House Bill No. 364.
Tidelands in front of LaConner, authorizing sale of, House Bill No. 381.
Trust receipts, giving banks lien on certain conditional sales contracts without hav-
ing in actual possession, House Bill No. 322.
Vendor to give statement of all creditors before selling stock of restaurants, beer
parlor, hotel or gasoline service station, Senate Bill No. 190.

Salesmen:

Real estate, licensing of, Senate Bill No. 290.

Salmon:

Pound nets, use of for catching, restricted areas, Senate Bill No. 405.
Preservation of, in Columbia River district, creation of fund to administer Federal
monies, Senate Bill No. 412.

Salt Creek State Park:

Jefferson County, establishment of park in, House Bill No. 401.

Sanipractic:

Examining Board of Washington Sanipractic Physicians, examination and licensing
of, by the, Senate Bill No. 263.

Sardine:

Floating reduction plants, licensing those processing sardines, House Bill No. 409.

Savings and Loan Association:

Federal, conversion of, into state savings and loan associations, House Bill No. 188.

School Boards:

Revising school and equalization regulations on teacher rather than pupil-day basis, Senate Bill No. 209.

Routes to be established by, Senate Bill No. 209.

School Directors:

Increased powers for joint purchase of supplies and equipment, Senate Bill No. 66.

Revising school and equalization regulations on teacher rather than pupil-day basis, Senate Bill No. 209.

Routes to be established by, Senate Bill No. 209.

Teacher's contract for two years to be made by, Senate Bill No. 464.

School Districts:

Adults physically handicapped to receive free lip reading instruction, House Bill No. 2.

Bonds, providing for action to test validity of those issued by, House Bill No. 426.

Clallam County, sale of lands to, No. 58, Senate Bill No. 366.

County superintendents to approve vouchers in second and third class, Senate Bill No. 465.

Establishment of "adjustment," "opportunity" or "remedial" schools, Senate Bill No. 211.

Experimental program including vocational education to be carried on in conjunction with junior college districts, House Bill No. 283.

Formation of new, under the reorganization, Senate Bill No. 335.

Indians, disposition of certain moneys for education of, House Bill No. 438.

Purchasing agents to buy goods grown or manufactured in the state, Senate Bill No. 208.

School terms to be maintained, assistance given by state school relief fund, Senate Bill No. 284.

Signatures on interest coupons of bonds issued by, House Bill No. 365.

State school relief fund, creation of, to assist needy school districts, House Bill No. 346.

State to assist counties, municipalities and, with financing for Federal work relief projects, Senate Bill No. 467.

Taxation to provide funds for, Senate Bill No. 209.

Teachers, permanent exchange of continuing, in third-class districts, House Bill No. 121.

Transportation systems, increasing reimbursements to those operating, House Bill No. 347.

Vocational school activities, receipt of funds from state for, Senate Bill No. 277.

School Districts of the Third Class:

Teachers, permanent exchange of continuing, House Bill No. 121.

Schools:

Adequate terms and minimum teachers' salaries to be maintained, Senate Bill No. 284.

Admission of children to, Senate Bill No. 167.

Adults with defective hearing to have free lip-reading instruction, House Bill No. 2.

Aid and equalization regulations on teacher rather than pupil-day basis, Senate Bill No. 209.

Appropriation of \$1,400,000 for state school equalization fund, Senate Bill No. 155.

Armistice Day to be school holiday, House Bill No. 101.

Appropriations for, given priority over other appropriations, Senate Bill No. 470.

Billboard advertising near, regulations for, Senate Bill No. 221.

Colleges and universities to display United States flag on campuses, House Bill No. 105.

Common school fund, 5-mill maximum tax on all state taxable property toward, House Bill No. 184.

Schools—Continued:

- County superintendents to approve vouchers in second and third class districts, Senate Bill No. 465.
- Current state school suspense fund, abolishing; transferring money to general fund, House Bill No. 248.
- Eastern State Custodial School, new name for the state custodial school, Senate Bill No. 403.
- Establishment of "adjustment," "opportunity," "remedial" and "combined" schools, Senate Bill No. 211.
- Establishment of lunchrooms, Senate Bill No. 78.
- Federal aid, acceptance by the state for, Senate Bill No. 174.
- Flag week, observance of in all, Senate Joint Resolution No. 13.
- Forest reserve funds, one-half to go into funds of public, Senate Bill No. 323.
- Fund, appropriation of \$3,600,000 for current state school funds, Senate Bill No. 156.
- Games of chance or skill not to be conducted within 800 feet of, Senate Bill No. 237.
- History and government of this state to be a regular course of study in grammar, Senate Bill No. 279.
- Indians, disposition of certain moneys for education of, House Bill No. 438.
- Institutes, providing for optional attendance by teachers, House Bill No. 40.
- Junior college districts and school districts to operate experimental educational program, House Bill No. 283.
- Non-certificated school employees to be included in retirement system, Substitute House Bill No. 29.
- Pinball machines prohibited from being operated within 800 feet of, Senate Bill No. 291.
- Public forum discussion groups, to be placed on same basis as night school attendance for fund apportionment purposes, Senate Bill No. 458.
- Revenues and method of disbursements to, Senate Bill No. 209.
- State Board of Education, members appointed by governor, Senate Bill No. 301.
- State school relief fund, creation of, to assist needy school districts, House Bill No. 346.
- Supplies for, school directors authorized to make joint purchase of, Senate Bill No. 66.
- Teachers' contract limited to two years, Senate Bill No. 464.
- Teachers' life certificates to be granted only to those who have complied with provisions of law, Senate Bill No. 461.
- Teachers, minimum requirements for, Senate Bill No. 445.
- Teachers, minimum salary of, repealed, Senate Bill No. 7.
- Teachers of, not to be forced to pay dues to any club, Senate Bill No. 292.
- Teachers tenure commission; manner of discharge and discipline, House Bill No. 121.
- Transportation routes, reimbursement of seven-tenths' cent per pupil-mile, Senate Bill No. 285.
- Transportation systems, increasing reimbursements to school districts operating, House Bill No. 347.
- Warrants to be registered in county treasurer's and school superintendent's offices, Senate Bill No. 466.

Schroeder, Senator Ted F.:

- Appointment of, on committee to investigate milk and dairy industry.....Page 83
- Resolution by, regarding appointment of interim committee on investigation of milk and dairy industry.....Page 808
- Resolution by, regarding investigation of milk and dairy industry.....Page 76
- Resolution by, regarding red cedar shingle industry.....Page 421

Schwellenbach, Lewis B.:

- Message from read at Golden Jubilee Session.....Page 330

Scott, Daniel A.:

- Adjournment of Senate in honor of.....Page 7
- Eulogy by Representative Phillips.....Page 232

Sculptor Laureate:

- Of Washington, naming Alonzo Victor Lewis as.....Page 287

Seabeck:

- Kitsap Lake to, establishment of secondary state highway, Senate Bill No. 325.

Seattle:

- Appropriation for local improvement districts of, Senate Bill No. 433.
 Lands dedicated to, in vicinity of, for street and boulevard purposes, Senate Bill No. 289.
 Naval and Marine Corps Reserve Armory, establishment in, Senate Bill No. 350.
 Pacific N. W. Centennial Exposition to be held in 1942; creating commission to handle House Bill No. 156.
 Shil Shole Bay, asking Congress for appropriation to construct breakwater in, House Joint Memorial No. 4.

Secretary of Senate:

- Election of Earle M. McCroskey as.....Page 4
 Extending appreciation to, for services.....Page 807

Instructed to send copies of Engrossed Senate Bill No. 427 to members of legislaturePage 755

Secretary of State:

- Constitutional amendment relative to abolishment of offices of Lieutenant Governor and Commissioner of Public Lands, publishing of, by, Senate Joint Resolution No. 6.
 Constitutional amendment, relative to State Auditor's salary, publishing of, by, Senate Joint Resolution No. 5.
 Corporation to file certain reports with, House Bill No. 271.
 Duties of, under the soil conservation districts law, Senate Bill No. 69.
 Legislative reference and drafting bureau, member of advisory committee to be, Senate Bill No. 331.
 Publishing, amended constitutional amendment, relative to tax levies, Senate Joint Resolution No. 4.
 Session laws, emergency acts only, to be published in newspapers, by the, Senate Bill No. 275.
 Soil conservation districts laws, duties of, relative to, Senate Bill No. 343.
 State to assist counties, municipalities and, with financing for Federal work relief projects, Senate Bill No. 467.

Securities:

- Limiting incorporating expense of corporation applying for permit to operate insurance company to 7½% of par value or sales price of stock, House Bill No. 268.
 Regulation and supervision of the issuance and sale of certain, Senate Bill No. 226.

Senate:

- Adjournment of, *sine die*.....Pages 810-11
 Bills, resolution regarding mailing lists of, for members of Senate.....Page 55
 Chamber, junior employees of Senate granted permission to use for programPage 180
 Chamber, supervision of, resolution regarding.....Page 807
 Committees, appointment of.....Page 40
 Committees, changes in.....Page 46
 Committees, confirmation of changes in.....Page 46
 Committees, confirmation of.....Page 43
 Committees, revision of, resolution regarding.....Page 654
 Journal, compiling and indexing of, resolution regarding.....Page 808
 Organization of, appointment of committee to notify House of.....Page 7
 Rule 65, amendment of.....Page 81
 Rules, revision of, appointment of interim committee for.....Page 785

Senate Committee on Interstate Cooperation:

- Members on, duties and functions of, Senate Bill No. 204.

Senators:

- List of holdover.....Page 4
 List of newly-elected.....Page 3

Sergeant-at-Arms of the Senate:

- Election of J. B. Mehan as.....Page 5
 Expression of appreciation to.....Page 810

Sesquicentennial Celebration:

Captain Robert Gray, commemorating discoveries of, Senate Joint Memorial No. 10.

Session Laws:

Appropriating \$3,500 for temporary printing of, House Bill No. 119.
Publication of emergency, in newspapers in state, Senate Bill No. 275.
Resolution regarding certification of.....Page 807

Sewage:

Cities, authorizing connections with city sewerage system from property located outside limits of, House Bill No. 117.
Construction and maintenance of, plants in cities of the fourth class, Senate Bill No. 383.

Sewer Districts:

Establishment of in certain counties, rules and regulations for, Senate Bill No. 305.
Establishment of, outside limits of incorporated cities and towns, Senate Bill No. 482.

Sewer Systems:

Cities and towns authorized to construct, etc., Senate Bill No. 306.
Incorporated city or state may establish and operate, Senate Bill No. 482.

Shareholders:

Board of directors, removal of, by shareholders; demand for payment of shares when corporation merges or consolidates, House Bill No. 271.
Not included as general creditors in determining solvency of building and loan associations, Senate Bill No. 58.
Shares of stock, making uniform law regulating transfer, indorsement and delivery of, House Bill No. 372.

Sharkey, A. J.:

Resolution extending thanks to..... Page 807

Sheard, Wm. F.:

Appropriation for payment of judgment to, through Bank of California, Senate Bill No. 433.

Shellfishes:

Regulations imposed on, for the securing of, Senate Bill No. 93.
Sale or use of, for purpose of feeding to fur bearing animals, Senate Bill No. 194.

Sheriffs:

Civil service regulations for offices of, Senate Bill No. 294.
Duties of constable to be taken over by, in class A counties and first class cities, Senate Bill No. 318.
Duties of, in respect to maintaining public peace, Senate Bill No. 144.
Income tax, securing the same by, Senate Bill No. 192.

Shil Shole Bay:

Breakwater, petitioning Congress for \$700,000.00 to construct at Seattle, House Joint Memorial No. 4.

Shingles:

Red cedar shingle industry, asking president for hearing because of loss of trade due to reciprocal trade agreement with Canada, House Joint Memorial No. 8.
Red cedar shingle industry, resolution regarding.....Page 421

Shipping:

Shipbuilding plant on Puget Sound and freight and passenger service between Sound and Orient to be established, House Joint Memorial No. 2.

Ships:

Liquor, ships where liquor is illegally disposed of declared common nuisance, House Bill No. 172.
Marine insurance on, taxation on premiums, Senate Bill No. 281.
Steamboat lines, restricting licensing of competing lines, Senate Bill No. 451.

Shipyards:

Construction or purchase of, by port districts having population of 300,000, Senate Bill No. 261.

Shoreland Improvement Fund:

Abolishment of, Senate Bill No. 70.

Shorelands:

Conveyance of, to cities and towns for park and playground purposes, Substitute Senate Bill No. 23.

Deeded to King County by Commissioner of Public Lands, Senate Bill No. 17.

Deeded to University of Washington by commissioner of public lands, Senate Bill No. 197.

Sieler, Senator Herbert H.:

Explanation of vote on Senate Bill No. 427.....Page 571

Silver:

Insurance on, taxation on premiums, Senate Bill No. 281.

Sine Die:

Adjournment of legislature.....Page 811

Adjournment of legislature, appointment of committee to inform Governor ofPage 810

Adjournment of legislature, report of committee appointed to inform Governor ofPage 811

Skagit County:

Appropriation for, Senate Bill No. 433.

Sleeping Sickness:

Horses, appropriation to eradicate sleeping sickness, House Bill No. 277.

Slums:

Creation of housing authorities, slum clearance providing dwellings for low income, Senate Bill No. 79.

Smith-Hughes Vocational Work:

Fairs, exhibition of agricultural products at district fairs, House Bill No. 236.

Snohomish County:

Lands to be sold by, for use of Washington State Reformatory, Senate Bill No. 99.

Sale of portion of, Senate Bill No. 53.

Snoqualmie National Forest:

State highway established from Yakima to, vicinity of, Senate Bill No. 299.

Soap Lake, Washington:

McKay Memorial Research Hospital, establishment of at, Senate Bill No. 114.

Social Security:

Appointment of Director of.....Page 424

Confirmation of appointment of Director of.....Page 457

Creation of, department, rules and regulations to be observed, Senate Bill No. 444.

General welfare act, asking enactment of, to standardize social security laws, House Joint Memorial No. 7.

Investigation and audit of department by joint legislative committee, House Joint Resolution No. 4.

Old-age assistance, eligibility of persons to receive, Substitute Senate Bill No. 47.

Societies:

Fraternal benefit societies, admitting to beneficiary membership certain persons without medical examination, House Bill No. 368.

Inheritance tax, exemption of, on certain bequests for charitable purposes which pass out of state to certain societies, House Bill No. 425.

Soil Conservation:

- Establishment of soil conservation districts law for, Senate Bill No. 69.
- Establishment of soil conservation districts laws, Substitute Senate Bill No. 69.
- Establishment of soil conservation districts laws for, Senate Bill No. 343.

Soil Conservation Committee:

- Establishment of, for carrying out soil conservation districts laws, Senate Bill No. 343.

Soil Conservation Districts Laws:

- Establishment, power and duties, Senate Bill No. 69.
- Establishment of, provision of, Substitute Senate Bill No. 69.
- Preservation of farm and grazing lands under the, Senate Bill No. 343.

Soil Erosion:

- Prevention of, control of to be under soil conservation districts laws, Senate Bill No. 343.
- Prevention of, control of to be under soil conservation districts laws, Substitute Senate Bill No. 69.

Sokulk Indians:

- Fishing privileges extended within designated area on Columbia River, House Bill No. 327.

Soldiers:

- Children of those killed during the world war provided with educational opportunities, House Bill No. 78.
- World war veterans, providing appropriation for rehabilitation of, House Bill No. 25.

Spokane:

- Appropriation for local improvement districts of, Senate Bill No. 433.
- Colbert to, establishment of secondary state highway, Senate Bill No. 397.

Spokane County:

- Fairmont Cemetery Association, conveyance of certain state lands in Spokane Co., to, House Bill No. 109.

Sprague, Charles A.:

- Governor of Oregon, message from read at Golden Jubilee Session.....Page 330

Squier, Paul:

- Relief of, Senate Bill No. 30.

Stamps:

- Furnishing of, by the manufacturer of the merchandise, Senate Bill No. 43.
- Golden Jubilee commemorative, letter from post office department regarding Page 245
- Issuance of postage, celebrating Golden Jubilee of admission of Washington to the Union, Senate Joint Memorial No. 4.
- Meter stamping machines, authorized by tax commission, Senate Bill No. 113.
- Taxation, for affixing to cigarette package, Senate Bill No. 260.

Standing Committees (see Committees).**Stanfield, R. E.:**

- Introduced at Golden Jubilee Session.....Page 328

Stanwood:

- Secondary state highway from Camano Island, Senate Bill No. 189.

State Adjutant General:

- Olympia, authorizing sale of certain lands in, by, House Bill No. 415.

State Athletic Fund:

- Abolishing, transferring money to general fund, House Bill No. 249.

State Auditor:

- Assistant Attorney General to be assigned to office of, Senate Bill No. 252.
- Audit of all state departments once a year by, Senate Bill No. 276.
- Audit report of each department, to be made to the legislature, Senate Bill No. 239.
- Code, compilation of, containing all constitutional provisions and state statutes for third and fourth-class cities, House Bill No. 113.
- County, city auditors to file monthly financial report with, Senate Bill No. 251.
- Salary to be fixed by legislature, Senate Joint Resolution No. 5.
- Signature of, on bonds issued by Washington Toll Bridge Authority, for purchase of ferries, Senate Bill No. 253.
- State Board of Equalization to be notified of amount of state debt for fiscal year, by, Senate Bill No. 273.
- State school relief fund, creation of, by, Senate Bill No. 284.

State Board for Vocational Education:

- Development and administration of, Senate Bill No. 76.
- Establishment and duties of, Senate Bill No. 277.
- Physically disabled persons, assistance given by the, Senate Bill No. 270.
- State Board of Education to be designated as, duties of, Senate Bill No. 435.

State Board of Education:

- Appointment and qualifications necessary to become members of, Senate Bill No. 301.
- County committee on reorganization of school districts, information to be given to, Senate Bill No. 335.
- Junior college districts and school districts operating experimental educational program to be under supervision of, House Bill No. 283.
- Life certificates only to be granted to those who have complied with provision of laws, Senate Bill No. 461.
- Sale, exchange or rental of lands granted to state for educational purposes, approval by, Senate Bill No. 360.
- School district's application for relief, approval by, Senate Bill No. 284.
- State school relief fund, creation of, to assist needy school districts, House Bill No. 346.
- State Tenure Commission, one member appointed by, Senate Bill No. 121.
- Teachers' certificates, regulations to be set by, Senate Bill No. 492.

State Board of Health:

- Cold storage locker employees, health certificate to be secured from, Senate Bill No. 413.
- Non-profit hospitals, certificate of organization to be indorsed by, Senate Bill No. 131.
- Plumbing, drainage, sewerage and plumbing ventilation, supervision of under, Senate Bill No. 326.
- Sale of narcotics and treatment of addicts, administration of State Narcotic Farm colony, Senate Bill No. 39.
- Sewer system construction may be authorized by, Senate Bill No. 306.

State Board of Law Examiners:

- Lawyers to be examined by, licensing of, Senate Bill No. 329.

State Board of Plumber Examiners:

- Creation of, and duties, Senate Bill No. 416.

State Capitol Committee:

- Old Capitol Building, authorizing state capitol committee to make repairs on, House Bill No. 20.

State College of Washington:

- Appointment of Board of Regents of.....Page 424
- Confirmation of Appointment of Board of Regents of.....Pages 456, 510-12
- Secondary state highway, from east of Pullman, to north of Pullman, Senate Bill No. 337.

State Commission for Reorganization of School Districts:

- School district reorganization plans and problems to be presented to, Senate Bill No. 335.

- State Custodial School:**
Eastern State Custodial School, name to replace title of, Senate Bill No. 403.
- State Custodial School at Medical Lake:**
Teachers of, retirement system to apply to, Senate Bill No. 188.
- State Departments:**
Appointments to.....Page 424
Expenditures of, protest by Senator Kerstetter.....Page 782
Process service charges, exempt from making payment, Senate Bill No. 453.
- State Depositories:**
To pledge payment on demand or at specified future date, House Bill No. 299.
- State Employees:**
Appropriation for salaries of, during fiscal biennium, House Bill No. 450.
Civil service regulations for, Senate Bill No. 177.
Motor vehicles or other property owned by state to be used only for official business,
House Bill No. 64.
Outside work for compensation prohibited to those with full-time jobs, House Bill
No. 218.
- State Finance Committee:**
Depositories of state funds to pledge payment on demand or at specified future
date, House Bill No. 299.
- State Fire Revolving Fund:**
Fire insurance on property of state or municipal corporation, Senate Bill No. 123.
- State Forest Board:**
Assistant secretary of, to be selected by, Senate Bill No. 375.
Authorize bonds for acquiring, seeding, reforestation and administering lands for
forests, Senate Bill No. 98.
Cooperative management of state lands with national forest and private timber
lands in a sustained yield management unit, Senate Bill No. 456.
Reconveyance of lands by, to certain counties, Senate Bill No. 310.
- State Game Commission**
Cold storage of fish, game birds and animals, records to be furnished to, Senate
Bill No. 363.
Field trials for hunting dogs, under supervision of, Senate Bill No. 220.
Foreign game, registration of same to be made with, Senate Bill No. 365.
Hunting and fishing by parties of two or more, information to be furnished to,
Senate Bill No. 364.
Member of, qualifications necessary for, Senate Bill No. 436.
Members; one to be farm owner from east of Cascades; one from west, House
Bill No. 86.
Relief appropriation for Mark Edward Klobucher, to come from fund of, Senate
Bill No. 377.
Sokulk Indians fishing within designated area on Columbia River regulated by,
House Bill No. 327.
- State Institute of Child Development Research and Service:**
Appropriating \$20,000 for carrying on work of, Senate Bill No. 297.
- State Institutions:**
Appropriation for operation and maintenance of, during fiscal biennium, House
Bill No. 450.
- State Lands:**
Colville, exchange of state lands with, for new forestry building, House Bill No.
287.
Conveyance of same to cities of first class for municipal park and playground
purposes, Senate Bill No. 23.
Cooperative management of, with national forest and private timber lands in a
sustained yield management unit, Senate Bill No. 456.

State Lands—Continued:

- F. L. Rohrbach, authorizing exchange of state lands for land owned by, House Bill No. 108.
 Fairmont Cemetery Association, conveyance of certain lands in Spokane County to, House Bill No. 109.
 Leasing for exploration and development of gas and oil, Senate Bill No. 19.
 Release of, from the reservation for "State Sustained Yield Forest No. 1," Senate Bill No. 146.
 Rights of way, United States government establishing over state lands, House Bill No. 285.

State Law Librarian:

- Legislative reference and drafting bureau, member of advisory committee to be, Senate Bill No. 331.
 Legislature to receive reports from, recommending statutes to be changed or amended, House Bill No. 312.

State Librarian:

- Legislative reference and drafting bureau, member of advisory committee to be, Senate Bill No. 331.
 Public documents, duties relating to, House Bill No. 284.

State Library:

- Appropriation for, Senate Bill No. 433.
 Federal funds to provide library service, to be administered by, Senate Bill No. 174.
 Legislative reference and drafting bureau, establishment of, under the, Senate Bill No. 331.

State Library Commission:

- Creation of, House Bill No. 257.

State Liquor Board:

- Sales, increasing state profit on; fees on domestic wineries according to gallonage manufactured, House Bill No. 172.

State Military Department:

- Olympia, authorizing sale of certain property in, House Bill No. 415.

State Mine Inspector:

- Mine rescue stations, to be determined by, Senate Bill No. 244.

State Narcotic Farm Colony:

- Narcotic addicts, isolation, quarantine, treatment of, in, Senate Bill No. 39.

State of Washington:

- Consent given by, to United States acquisition of lands as sites for forts, magazines, arsenals, dockyards, etc., Senate Bill No. 272.
 Materials, supplies, grown or produced in, for use of a political subdivision, to be purchased in, Senate Bill No. 208.

State Offices:

- Hours of opening and closing, Senate Bill No. 62.

State Officials:

- Appointment of certain, by Governor, letter regarding.....Page 424
 Appropriation for salaries of, during fiscal biennium, House Bill No. 450.
 Board of Prison Terms and Paroles and Tax Commission, setting salary at \$7500.00 per year, House Bill No. 253.
 Bond to be furnished by, charged with making arrests, Senate Bill No. 250.
 Insurance Commissioner to receive \$6500.00 per year beginning January 15, 1941, House Bill No. 466.
 Party committees, vice-chairman to be opposite sex from chairman, House Bill No. 300.
 State Printer to deliver to State Librarian reports of, House Bill No. 284.
 Unlawful to employ one seeking an elective office, Senate Bill No. 55.
 Wages and salaries of, to be determined by legislature, Senate Joint Resolution No. 16.

- State Parks:**
Salt Creek State Park, establishing, in Jefferson County, House Bill No. 401.
- State Parks and Parkway Fund:**
Abolishment of, monies to be paid to motor vehicle fund, Senate Bill No. 362.
Operator's license, 25¢ from each to go into, House Bill No. 432.
- State Parks Committee:**
Abolishment of, duties vested in department of highways, Senate Bill No. 362.
Appropriation for, Senate Bill No. 433.
Big Tree State Park, disposition of by, Senate Bill No. 371.
Rohrbach, F. L., authorizing exchange of state lands for land owned by, House Bill No. 108.
- State Parole:**
Probationer may be brought back to court by, Senate Bill No. 254.
- State Party Committees:**
Vice-chairman of, to be opposite sex from chairman, House Bill No. 300.
Women given political equality with men on county and state committees, Senate Bill No. 288.
- State Personnel Board:**
Administer civil service regulations for state employees, Senate Bill No. 177.
- State Personnel Department:**
Civil service regulations, to be administered by, Senate Bill No. 177.
- State Planning Council:**
Governor's committee on interstate cooperation, chairman of council to be a member of, Senate Bill No. 204.
Duties of, include studies assigned by legislature or Governor, Senate Bill No. 268.
Legislative reference and drafting bureau, member of advisory committee to be, Senate Bill No. 331.
Mine to market roads, duties of chairman relating to, House Bill No. 192.
Safety and convenience of travel, eliminating hazards, preserving landscapes; assistance to be given by, Senate Bill No. 370.
- State Plumbing Inspector:**
Duties of, relative to installation of plumbing, drainage, sewerage, etc., Senate Bill No. 326.
- State Printer:**
Duties of state, limiting the scope of, Senate Bill No. 181.
Public documents, duties of printer relating to publication of, House Bill No. 284.
- State Road No. 2:**
Inland Empire highway, establishment of, Senate Bill No. 145.
- State Road No. 4:**
Keller to Coulee Dam, establishment of primary highway, Senate Bill No. 367.
- State Road No. 5:**
Yakima to Tieton to vicinity of Snoqualmie National Forest, Senate Bill No. 299.
- State Road No. 7:**
Marlin to Almira, secondary state highway No. 7C, to be branch of, House Bill No. 392.
- State Road No. 9:**
Discovery Bay to shore of Hood Canal, opposite Lofall, establishment of, Senate Bill No. 296.
- State Road No. 15:**
Monroe to Bothell on, Senate Bill No. 202.
- State Road No. 17:**
Burlington through North Avon to vicinity west of North Avon, Senate Bill No. 283.

State Road No. 18:

Establishment of, in Whitman County, Senate Bill No. 129.

State Road No. 21:

Hoods Canal to Bainbridge Island, primary state highway, Senate Bill No. 296.

State School Equalization Fund:

Appropriation of \$1,400,000.00 for, Senate Bill No. 433.

Beer tax, part of which to go into, Senate Bill No. 193.

Pinball license receipts, part to go into, Senate Bill No. 291.

State School for Girls:

Teachers of, retirement system to apply to, Senate Bill No. 188.

State School for the Blind:

Teachers of, retirement system to apply to, Senate Bill No. 188.

State School for the Deaf:

Teachers of, retirement system to apply to, Senate Bill No. 188.

State School Relief Fund:

Creation of, to assist needy school districts, House Bill No. 246.

Creation of, to maintain adequate school terms, and pay minimum teachers' salaries, Senate Bill No. 284.

State Soldiers' Home:

Fund for medical attendance, rations and clothing to members of, Senate Bill No. 120.

State Superintendent of Public Instruction:

Federal funds for educational purposes, administered by, Senate Bill No. 174.

Flag week observance in schools, duties of, Senate Joint Resolution No. 13.

State board of education, president to be, without a vote in its proceedings, Senate Bill No. 301.

State Board of Vocational Education, chairman to be, Senate Bill No. 277.

State Board for Vocational Education, chairman to be, Senate Bill No. 435.

State Supervisor of Flood Control:

Division of Flood Control, under Department of Conservation and Development, Senate Bill No. 344.

State Supervisor of Forestry:

Fire hazards, duties relative to abatement of, Senate Bill No. 103.

State Supervisor of Hydraulics:

Dam or structure for control and storage of water to be approved by, Senate Bill No. 111.

Flood control projects examination, approval or rejection of, by, Senate Bill No. 110.

Notice of application for appropriation or storage of water to be sent to directors of game and fisheries, Senate Bill No. 304.

State Teachers' Retirement System:

Pensions to be paid from funds appropriated by the legislature, Senate Bill No. 188.

State Tenure Commission:

Teachers, continuous employment of certificated, House Bill No. 121.

State Treasurer:

Abolition of office of, Senate Joint Resolution No. 6.

College current fund, abolishing; creating Washington State College fund, House Bill No. 247.

Current state school suspense fund, abolishing; transferring monies to general fund, House Bill No. 248.

Deposit interest fund, appropriation from, to charge off "deposits in closed banks" item, House Bill No. 298.

Federal funds for educational and free library services, to serve as trustee of, Senate Bill No. 174.

State Treasurer—Continued:

- Land assurance fees to be paid to, Senate Bill No. 179.
- Oyster reserve fund, transferring to fisheries fund, House Bill No. 253.
- Shoreland improvement fund warrants paid from state treasury, Senate Bill No. 70.
- State athletic fund, abolishing; transferring money to general fund, House Bill No. 249.
- State department funds to be transmitted to, within seven days after receipt, Senate Bill No. 424.
- State depositories to pledge payment on demand or at specified future date, House Bill No. 299.
- Veterans' compensation bond retirement fund, abolishing; transferring to general fund, House Bill No. 250.
- Washington State Horse-Racing Commission to transfer its funds, to, Senate Bill No. 44.
- Washington Utility District Authority fund, in custody of, Senate Bill No. 199.

State Vocational School:

- Creation of correctional institution for first offenders between ages of 18 and 24, Senate Bill No. 4.

Stationery:

- Golden Jubilee seal on, resolution regarding printing of.....Page 45

Statue:

- Isaac Ingalls Stevens, to be placed in capitol at Washington, D. C., Senate Bill No. 316.

Steam Boilers:

- Boiler inspection office established, House Bill No. 138.

Stevens County:

- State lands, exchange of, with Colville for new forestry building, House Bill No. 289.

Steamboats:

- Restricting licensing of competing lines, Senate Bill No. 451.

Stevens, Isaac Ingalls:

- Statue of, to be placed in capitol at Washington, D. C., Senate Bill No. 316.

Stocks:

- Sale of delinquent shares of corporations, under metalliferous mining securities act, Senate Bill No. 481.

St. Peter, Joseph:

- Adjournment of Senate in honor of.....Page 7
- Eulogy by Senator Wanamaker.....Page 232

Street Lights:

- Water districts given authority to construct and maintain system of, Senate Bill No. 358.

Street Railway:

- Municipally-owned, authorizing certain cities to borrow from reconstruction finance corporation, for, House Bill No. 323.

Sunday Closing Law:

- Repealing, House Bill No. 198.
- Repealing same, Senate Bill No. 45.
- Repealing the Sabbath closing law, Senate Bill No. 37.
- Sabbath breaking, enactment of, Senate Bill No. 229.

Sunnyside:

- Vantage Bridge to, establishment of secondary state highway, Senate Bill No. 418.

Superintendent of Elections:

- Code of election laws, to be furnished by, to members of legislature, Senate Bill No. 385.

Superior Court:

- Adoption of children, investigation of circumstances, Senate Bill No. 242.
- Appeals from Department of Labor and Industries, either party entitled to trial by jury, Senate Bill No. 38.
- Appeals from Department of Labor and Industries, either party entitled to trial by jury, Senate Bill No. 101.
- Appropriation for retirement of judges of, Senate Bill No. 433.
- Bailiffs, compensation of, in, House Bill No. 94.
- Bonds, action to test validity of those issued by counties, cities, school or taxing districts, House Bill No. 426.
- Court reporters, repealing law granting a per diem for not to exceed 10 days per month while court is in session, House Bill No. 269.
- Garnishment proceedings in, payment of advance fees, Senate Bill No. 139.
- Inheritance tax, liability of property for payment of, House Bill No. 546.
- Judges of, already retired, to receive retirement pay, Senate Bill No. 419.
- Jurors, selection of, for, Senate Bill No. 266.
- King County, reducing judges from 15 to 12, Senate Bill No. 443.
- Liquor license, appeal by one to, whose license has been revoked or suspended, Senate Bill No. 356.
- Minor children, care, custody and adoption, regulations to be governed by, Senate Bill No. 241.
- New trials granted in, for errors relating to damages, Senate Bill No. 247.
- Recall election, charges to be first substantiated before the, Senate Bill No. 407.
- Salaries to be paid judges of, information to be first ascertained, Senate Bill No. 402.
- Vacancies in, to be filled by Governor, Senate Bill No. 443.
- Veterans, court to direct transfer of insane to United States veterans' facilities, House Bill No. 104.
- Waterway districts, petitioning of, to dissolve districts, Senate Bill No. 349.

Supreme Courts:

- Appropriation for retirement of judges of, Senate Bill No. 433.
- Chief justice of, to serve on advisory committee of legislative reference and drafting bureau, Senate Bill No. 331.
- Judges of, already retired to receive retirement pay, Senate Bill No. 419.
- New trials granted in, for errors relating to damages, Senate Bill No. 247.

Surveys:

- Public record of, required in certain cases, House Bill No. 315.

Sweeney, Major General Walter C.:

- Introduced at Golden Jubilee Session.....Page 328

Sylvester, John N.:

- Speaker of the House, address at Golden Jubilee Session.....Page 327

Syphilis:

- Examination to be given by attending physician of pregnant women, Senate Bill No. 374.
- Medical examination to determine, prior to issuance of marriage license, Senate Bill No. 373.
- Patients infected with, treatment at state hospitals, Senate Bill No. 490.

Tacoma:

- Establishment of Narrows Bridge, primary state highway, Senate Bill No. 12.

Tacoma Narrows Bridge:

- Establishment of primary state highway, Senate Bill No. 12.

Taverns:

- Bottled beer to be sold by, Senate Bill No. 217.
- Minors not allowed in, where wines or beer sold, Senate Bill No. 307.

Taxation:

- Actions for foreclosure of delinquent taxes on real property, procedure to follow, Senate Bill No. 477.
- Amending the present sales' tax law, Senate Bill No. 113.

Taxation—Continued:

- Art museums, exemption from payment of inheritance taxes, Senate Bill No. 176.
 Assessment of real property, excluding repairs to home, Senate Bill No. 330.
 Assessments, providing for cancellation or reduction of, on property erroneously assessed, House Bill No. 103.
 Beer tax of \$2.50 per barrel, Senate Bill No. 193.
 Board of budget review determines, in counties of first and second class, Senate Bill No. 90.
 Boundaries of tax districts, setting date for establishing, House Bill No. 163.
 Butter fat, assessment of, in milk and cream, House Bill No. 189.
 Butter substitutes, excise tax of 10¢ per pound, Senate Bill No. 417.
 Certified budget, making and filing of, with clerk of board of county commissioners, House Bill No. 131.
 Cigarettes and tobacco, increasing sales tax on, House Bill No. 486.
 Cigarettes, one-tenth of one cent for each, Senate Bill No. 260.
 Cigarette tax increased to two cents per package, Senate Bill No. 113.
 Common carrier railroad operating as plant facility to extent of 80% or more of its business, tax rate on, House Bill No. 487.
 Common school fund, 5-mill maximum tax on all state taxable property toward, House Bill No. 184.
 Constitutional amendment to limit property tax levies, Senate Joint Resolution No. 4.
 County assessor may appeal to tax commission relative to, Senate Bill No. 428.
 Delinquent taxes, payment of fees for collection of, Senate Bill No. 262.
 Designation of taxes and assessments, Senate Bill No. 10.
 Determination of true and fair value of property, how to be valued, Senate Bill No. 166.
 Diking, drainage, or sewerage improvement districts, assessment of lands acquired by foreclosure and sold under contract, House Bill No. 120.
 Equalization of the assessment of property to be made by board of tax appeals, Senate Bill No. 340.
 Excise tax of 1% upon the receipt of gross income, Senate Bill No. 192.
 Exemptions to religious and certain non-profit corporations and associations from payment of, Senate Bill No. 106.
 Fire protection districts, levy and collection of taxes within, House Bill No. 81.
 Firms engaged in games of chance or skill, 1% of gross income, Senate Bill No. 237.
 Fuel oil, 1½ cents upon each gallon of, upon distributor, Senate Bill No. 128.
 Fuel oil, excise tax upon selling of, Senate Bill No. 191.
 Gasoline, excise tax on wholesaler of, House Bill No. 259.
 Gift tax, revenue from, Senate Bill No. 434.
 Governor, letter from regarding proposed legislation.....Page 506.
 Grains, flour, fruit, vegetables, exempt from, if shipped from state within certain time, House Bill No. 264.
 Improvements, authorizing segregation and separate payment of tax on those owned separately, House Bill No. 521.
 Income taxes, exemptions from, Senate Joint Resolution No. 14.
 Inheritance tax, coordination laws relating to, House Bill No. 425.
 Installment contracts for delinquent payments of real property, Senate Bill No. 51.
 Insurance companies taxed, Senate Bill No. 42.
 Intangible personal property, certain exemptions from, Senate Bill No. 298.
 Intrastate companies under regulation of department of public service, on gross operating revenue, Senate Bill No. 225.
 Irrigation districts, duties concerning sales of land for delinquent district assessments, House Bill No. 126.
 Levies to pay off state debt, made by state board of equalization, Senate Bill No. 273.
 Liquid or liquifiable petroleum products, one-quarter cent on each gallon, Senate Bill No. 227.
 Liquor sales, sales tax to be applied to, Senate Bill No. 113.
 Method of assessment of property, Senate Bill No. 56.
 Method of assessment of real and personal property for purposes of, Senate Bill No. 102.
 Metropolitan park districts, contracting indebtedness for parks, etc., limited to 3/20 of 1% taxable property, House Bill No. 134.

Taxation—Continued:

- Metropolitan park districts, limited to 2½ mills on property in, House Bill No. 37.
Nursery stock not to be taxed until it can be sold as commercial nursery stock, House Bill No. 380.
- Oil and gas, produced and saved, Senate Bill No. 169.
Olympic National Park, state reserves right to tax corporations' property located within park, House Bill No. 41.
- Pari-mutuel betting, 25% gross receipts, Senate Bill No. 354.
Payment of delinquent local improvement district bonds to be paid out of special revolving funds, Senate Bill No. 157.
- Personal property, assessed on basis of average monthly inventory, Senate Bill No. 282.
Personal property, exempting certain from, when shipped outside state, House Bill No. 263.
Personal property, providing for levy and collection of excise or tax on tangible, House Bill No. 87.
- Personal property taxes, collection of, by county treasurer, Senate Bill No. 122.
Personal property to be assessed annually on monthly average basis, House Bill No. 175.
- Premiums on marine insurance policies, 2¼%, Senate Bill No. 281.
Public assistance, three mill tax to be levied by county, Senate Bill No. 444.
Public library, levy to provide support of, Senate Bill No. 135.
Public utility districts to pay to county treasurers, 5% of gross income, Senate Bill No. 199.
- Publicly owned property to be taxed as if privately owned, Senate Joint Resolution No. 11.
- Real and personal property, not to exceed forty mills on the dollar of assessed valuation, Senate Joint Resolution No. 10.
Reassessment and retaxation of property, Senate Bill No. 207.
- Real property, sale of for delinquent taxes, detailed procedure to be followed, Senate Bill No. 478.
- Renting of commercial space in buildings on land owned by state, gross income tax of 3%, Senate Bill No. 471.
Residence to be exempt from, up to \$1000, Senate Bill No. 468.
- Sale of property acquired by county for taxes, procedure for releasing part of tract to purchaser, House Bill No. 364.
Sale of property for taxes, 90-day notice to be given owners, Senate Bill No. 431.
- School aid and equalization regulations on teacher rather than pupil-day basis, Senate Bill No. 209.
School fund, to produce revenues for disbursements to various districts, Senate Bill No. 209.
- Sewer districts, levy on property in, Senate Bill No. 305.
Smelt, candlefish or herring fee of \$5.00 for each dip-bag net, Senate Bill No. 108.
- State colleges of education, tax levies to be used for support of, Senate Bill No. 487.
Tangible personal property purchased or manufactured for commercial use, Senate Bill No. 49.
- Tuna privilege fee, 2½¢ per 100 pounds, Senate Bill No. 109.
Unifying tax laws, House Bill No. 80.
- Validating tax levies made for the creation of a revolving fund to guarantee payment of local improvement bonds, Senate Bill No. 13.

Tax Commission:

- Appointment of member of.....Page 424
Cash buyer of agricultural products to make \$10 deposit to, House Bill No. 135.
Cigarette tax of one-tenth of one cent for each cigarette, collection of by, Senate Bill No. 260.
- Confirmation of appointment of member of.....Page 457
County officers, commission to exercise general supervision over all whose duties pertain to taxation, House Bill No. 80.
- Gift tax, to be computed by, Senate Bill No. 434.
Gross income tax to be filed with, administration of laws, Senate Bill No. 192.
Meter stamping machines to be authorized by, Senate Bill No. 113.

Tax Commission—Continued:

Reassessment and retaxation of property, Senate Bill No. 207.

Salary, setting at \$7,500 per year, House Bill No. 253.

To submit to revenue and taxation committees of legislature a recommended program of legislation to put state on sound financial basis, resolution regarding.....Pages 242, 250

Tax Districts:

Bonds, providing for action to test validity of those issued by, House Bill No. 426.

Boundaries, setting date of establishing, House Bill No. 163.

Teachers:

Certificates for, validity of, Senate Bill No. 492.

Coercion of, to join clubs or organizations and pay dues prohibited, Senate Bill No. 292.

Continuous employment of, as set forth in the Teachers Tenure Act for the State of Washington, Senate Bill No. 121.

Contract for services limited to two years, Senate Bill No. 464.

Institutes, providing for optional attendance by, House Bill No. 40.

Life certificates to be granted only to, who have complied with laws, Senate Bill No. 461.

Minimum educational standards for school, Senate Bill No. 445.

Minimum salaries of, to be maintained, Senate Bill No. 284.

Minimum salary repealed, Senate Bill No. 7.

Retirement pensions to be paid from funds appropriated by legislature, Senate Bill No. 188.

Retirement system for public school employees, House Bill No. 29.

Tenure commission established; manner of discharge and discipline, House Bill No. 121.

Teachers' State Tenure Commission:

Establishment of, manner of discharge and discipline, House Bill No. 121.

Teachers' Tenure Act for the State of Washington:

Employment of teachers to be continuous, Senate Bill No. 121.

Teachers' Tenure Revolving Fund:

Expenses incurred by Tenure Commission to be paid from, House Bill No. 121.

Tenure Commission expenses to be paid out of, Senate Bill No. 122.

Teamsters:

Personal property, certain exemptions from execution and attachment, Senate Bill No. 170.

Telegraph:

Interference by electrical lines, department of public service to order elimination of, House Bill No. 536.

Telephone:

Appropriation for investigation of telephone utilities by Department of Public Service, House Bill No. 524.

Installation, location and inspection of meters, Senate Bill No. 11.

Interference by electrical lines, department of public service to order elimination of, House Bill No. 536.

Interference of lines, with electric lines, elimination of, Senate Bill No. 439.

Testimony:

Perpetuation of, of witnesses, in judicial proceedings, Senate Bill No. 425.

Thomas, Senator Paul G.:

Motion by, regarding introduction of persons in gallery to Senate.....Page 623

Protest against passage of Substitute Senate Bill No. 47.....Page 130

Resolution by, regarding changing roads and bridges and revenue and taxation committee rooms.....Page 785

Thompson Securities Company:

Appropriation for payment of costs in judgment to Acme Finance Company, Senate Bill No. 433.

Thompson, Walter J.:

Introduced at Golden Jubilee Session.....Page 328

Thurston County:

Appropriation by legislature of \$210,000.00 to retire bonds and interest for construction of state highways, Senate Bill No. 57.

Appropriation for, Senate Bill No. 433.

State adjutant general, authorizing to sell certain lands in Olympia, House Bill No. 415.

Tide Lands:

Closing same in Island county to commercial clam digging, Senate Bill No. 27.

Harbor lines, relocation and reestablishment of inner and outer in front of Pt. Townsend, House Bill No. 92.

LaConner, authorizing sale of, in front of, House Bill No. 381.

Tideland District No. 10:

Harbor lines, relocation and reestablishment of inner and outer, in front of Pt. Townsend, House Bill No. 92.

Timber:

Big Tree State Park, disposition of, Senate Bill No. 371.

Sale of timber for educational purposes, approval by State Board of Education, Senate Bill No. 360.

Sale of, upon State Forest Board and state granted lands, Senate Bill No. 456.

Tobacco:

Automatic vending machines for, prohibited, Senate Bill No. 222.

Establishment of Washington State Tobacco Commission, Senate Bill No. 67.

Toll:

Ferry rates to be fixed by Washington Toll Bridge Authority, Senate Bill No. 253.

Traffic Regulation:

Blind, regulating traffic on streets and highways, limiting use of white canes, House Bill No. 43.

Trailers:

License number plates, only one to be issued to, House Bill No. 473.

Prohibited from travel on highways on certain days, Senate Bill No. 355.

Transportation:

Bus drivers limited to a 10-hour, 210-mile shift, Senate Bill No. 212.

Common and contract carriers, fees to be paid by, Senate Bill No. 184.

County reorganization school districts committees to consider problems of, Senate Bill No. 335.

Insurance on goods while enroute, Senate Bill No. 281.

Municipally-owned street railway, authorizing certain cities to borrow from Reconstruction Finance Corporation for, House Bill No. 323.

Routes of, for school busses, reimbursement upon pupil-mile, Senate Bill No. 285.

School bus routes, to be established by school directors, Senate Bill No. 209.

School districts operating transportation systems, increasing reimbursements to, House Bill No. 347.

Shipbuilding plant for Puget Sound; freight and passenger line between here and Orient to be established, House Joint Memorial No. 2.

Transportation Commission:

Municipally-owned street railway, borrowing from Reconstruction Finance Corporation for duties of commission relating to, House Bill No. 323.

Trespassing:

Seek permission of owner before hunting or fishing on other's property, Senate Bill No. 74.

Trials:

- Department of Labor and Industries, appeals to superior court, either party has right of, Senate Bill No. 38.
- Giving person accused of contempt of court the right of, Senate Bill No. 35.
- New, granted in superior or supreme courts for errors relating damages, Senate Bill No. 247.
- Witnesses, compelling attendance of out-of-state, in criminal cases, House Bill No. 243.

Trout:

- Preservation of, in Columbia River district, creation of fund to administer federal monies, Senate Bill No. 412.

Trucks:

- Fees, increasing, on certain trucks, House Bill No. 397.
- Fees, to be paid for, based on maximum gross weight, Senate Bill No. 184.

Trust Companies:

- Joint bank accounts, rights of either depositor, Senate Bill No. 342.

Trust Receipts:

- Giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.

Trustees:

- Bonds, providing for reduction or substitution of; control of funds; notice of citation in case of default, House Bill No. 47.
- Gross income tax to be filed by, for trust estates, Senate Bill No. 192.
- Hospital, appointment, term, duties of, Senate Bill No. 151.

Trusty Camps:

- Certain prisoners from state prisons to be sent to, House Bill No. 242.

Tuberculosis:

- Livestock, indemnities for slaughtering diseased, House Bill No. 132.

Tucker, George Henry:

- Adjournment of Senate in honor of.....Page 7
- Eulogy by Senator Sieler.....Page 233

Tuition:

- University of Washington, designating what fees will be spent for, House Bill No. 561.

Tuna:

- Floating reduction plants, licensing those processing tuna, House Bill No. 409.
- License for handling of, Senate Bill No. 109.

Tunnels:

- Cascade, commission to make survey, Senate Bill No. 380.
- Inclusion of, to come under primary state highway system, determined by Department of Highways, Senate Bill No. 218.

Un-American Activities:

- Investigation of, in State of Washington, resolution regarding.....Pages 51, 58

Undertaker:

- Burial of a blind person, to be paid not more than \$100.00, Senate Bill No. 187.
- Physically disabled persons' funeral expenses, not to exceed \$100.00, paid by department of social security, Senate Bill No. 270.

Unemployment Compensation:

- Abolishing division of, and employment service, Senate Bill No. 68.
- Appointment of Commissioner of.....Page 424
- Appropriation for, given priority, Senate Bill No. 470.
- Confirmation of appointment of Commissioner of.....Page 458
- Creation of Department of Social Security, for, Senate Bill No. 444.
- Employers, who hire one or more employees, affected under, Senate Bill No. 214.
- Weekly benefit amount to be paid employees, Senate Bill No. 219.

Unemployment Compensation Fund:

Administered by the Commissioner of, Senate Bill No. 219.

Unemployment Insurance:

Creation of Social Security Department, Senate Bill No. 444.

Unfair Practices Act:

Monopolies, prohibiting unfair competition, discrimination and practices in connection with sale of certain articles to prevent, House Bill No. 282.

Uniform Act on Fresh Pursuit:

Reciprocity agreement with other states for pursuit of criminals, House Bill No. 244.

Uniform Act to Secure Attendance of Witnesses From Without a State in Criminal Proceedings:

Witnesses, compelling attendance of out-of-state in criminal cases, House Bill No. 243.

Uniform Expert Testimony Act:

Appointment of expert witnesses for testimony, Senate Bill No. 77.

Uniform For-Rent Motor Vehicle Safety Responsibility Act:

Financial responsibility by owners and operators of for-rent motor vehicles, Senate Bill No. 133.

Uniform Motor Vehicle Responsibility Act:

Financial responsibility by owners and operators of motor vehicles, Senate Bill No. 25.

Uniform Stock Transfer Act:

Shares of stock, making uniform law regulating transfer, indorsement and delivery of, House Bill No. 372.

Uniform Trust Receipts Act:

Trust receipts, giving banks lien on certain conditional sales contracts without having in actual possession, House Bill No. 322.

United States:

Irrigation districts, limiting time to bring action to enforce certain rights and claims of those owned by, House Bill No. 286.

Rights of way, establishing over state lands, House Bill No. 285.

University Campus Approach Fund:

Acquire tracts of land for an approach to University of Washington campus, Senate Bill No. 26.

University of Washington:

Approach to, acquisition of lands for, Substitute Senate Bill No. 26.

Approach to campus, resolution regarding construction of.....Page 676

Approach to campus, purchase of land, Senate Bill No. 26.

Associated Students, appropriation for payment of judgment to, Senate Bill No. 433.

Chemistry laboratories available to State Patrol for crime detection, Senate Bill No. 441.

Gifts from private sources, authorizing acceptance of, by Board of Regents; disposition of, House Bill No. 204.

Lands deeded to, used for arboretum and botanical garden purposes, Senate Bill No. 197.

Library facilities for students of, Senate Bill No. 430.

Usury:

Misdemeanor to take more interest than allowed, Senate Bill No. 22.

Vail:

Rainier to Vail, secondary state highway No. 5H from, House Bill No. 238.

Vantage Bridge:

Sunnyside to, establishment of secondary state highway, Senate Bill No. 418.

Vegetables:

Agricultural prorated marketing zones, for, Senate Bill No. 336.

Vehicle Operator's License:

Examinations for granting of conditional, House Bill No. 473.

State parks and parkways fund, 25¢ from each license fee to go into, House Bill No. 432.

Vending Machines:

Cigarettes, cigar, tobacco, prohibited, Senate Bill No. 222.

Venereal Disease:

Prophylactics, requiring licensed wholesaler and retailer to sell, for prevention or treatment of, House Bill No. 60.

Veronal:

Sale, gift, barter, exchange prohibited, Senate Bill No. 24.

Sale of, prohibiting and regulating, House Bill No. 325.

Vessels (also see Ships):

Exemption from having licensed personnel, Senate Joint Memorial No. 7.

Veterans:

Insane, court may direct their transfer to United States veterans' facilities, House Bill No. 104.

Veterans compensation bond retirement fund, application for benefits from, time extended to January 1, 1941, House Bill No. 334.

World war veterans, rehabilitation of disabled, House Bill No. 25.

Veterans' Compensation Bond Retirement Fund:

Abolishing, transferring to general fund, House Bill No. 250.

Veterans, time for applying for compensation extended to January 1, 1941, House Bill No. 334.

Veterinarians:

Domestic animal injured by vehicle, operator to notify, Senate Bill No. 140.

Examinations required before license may be issued to, House Bill No. 393.

Prescription required from, for pharmacist to sell amytal, luminal, veronal, etc., or their derivatives, House Bill No. 11.

Veterinary Practice Act:

Examinations required before license is issued to veterinarian, House Bill No. 393.

Veto Messages:

Governor, pertaining to bills passed by 25th session.....Pages 9-20

Vice Chairmen:

Committees, appointment of on certain committees.....Page 49

Vick, H. G.:

Introduced at Golden Jubilee Session.....Page 328

Vital Statistics:

Birth certificates of adopted and illegitimate children, House Bill No. 71.

Vocational Education:

Accepting federal vocational educational act of 1936 and providing compliance, Senate Bill No. 435.

Junior college districts and school districts to operate experimental program including vocational and non-vocational education, House Bill No. 283.

Promotion of, establishment of State Board for Vocational Education, Senate Bill No. 277.

Voters:

City charter, 50 or more voters may initiate changes in, House Bill No. 44.

Costs of registrations to be split for precincts lying partly in each county, Senate Bill No. 469.

Voters—Continued:

- Registration, county auditor to be registrar for rural precincts; city clerk, for city precincts, House Bill No. 33.
- Registration of, can be transferred from an incorporated city to a city, Senate Bill No. 165.
- Third and fourth class cities, consolidation of precincts in city elections, House Bill No. 111.

Votes:

- Cast in general election of November 8, 1939, recapitulation of.....Page 8

Voting Machines:

- Care of by voting machine custodian, Senate Bill No. 91.
- Regulating the recount of ballots and recount of votes registered on, Senate Bill No. 238.

Voyce, Senator Thomas:

- Protest against passage of Substitute Senate Bill No. 47.....Page 130

Wages and Salaries:

- Appropriation for salaries of state officials and employees for fiscal biennium, House Bill No. 450.
- Appropriations for state departments, Senate Bill No. 433.
- Bailiffs in superior courts, compensation of, House Bill No. 94.
- Board of Prison Terms and Paroles and Tax Commission, setting salary at \$7,500 per year, House Bill No. 253.
- County commissioners, compensation of, paid on a per diem basis, Senate Bill No. 265.
- Employer to pay those earned by deceased employee prior to death to nearest kin, House Bill No. 221.
- First-class cities, authorizing, to establish salary fund, House Bill No. 458.
- Household or domestic employees, Senate Bill No. 107.
- Insurance Commissioner to receive \$8,500 per year beginning January 15, 1941, House Bill No. 466.
- Legislative expenses, appropriations for, Senate Bill No. 400.
- Legislative members', to be fixed by law, Senate Joint Resolution No. 12.
- Officers of cities of the second class, Senate Bill No. 65.
- Pilots, rate to be paid per nautical mile, Senate Bill No. 401.
- Police pension, deduction of 5% from monthly compensation, Senate Bill No. 143.
- Prisoners to receive 25¢ per day in honor camps, House Bill No. 242.
- Prosecuting attorney, enforcement of, Senate Bill No. 303.
- Recount of ballots, counting clerks, Senate Bill No. 238.
- Salary fund, creation of, in all counties, House Bill No. 39.
- School teachers' minimum salary repealed, Senate Bill No. 7.
- Secondary state highways, reappropriation for, Senate Bill No. 394.
- Secretary of Agricultural Proration Program Committee, salary of, Senate Bill No. 336.
- State Auditor, to be fixed by legislature, Senate Joint Resolution No. 5.
- State officers, constitutional amendment, Senate Joint Resolution No. 16.
- Superior court judges, information to be ascertained prior to payment of, Senate Bill No. 402.
- Teachers, minimum to be maintained out of state school relief fund, Senate Bill No. 284.
- Teachers' salaries not to be reduced unless part of general plan of retrenchment, House Bill No. 121.
- Underpayment of agreed wages and certain deductions from, are unlawful, House Bill No. 128.
- Unemployment compensation refunds, to be determined by, Substitute Senate Bill No. 219.
- United States, exempt from gross income taxation, Senate Bill No. 192.

Wahkiakum County:

- Appropriation for, Senate Bill No. 433.

- Wanamaker, Senator Pearl A.:**
 Appointment as Chairman of Golden Jubilee Committee.....Page 95
 Appointment as member of Washington Senate committee to confer with Oregon committee regarding marriage license laws.....Page 149
 Master of ceremonies at joint Washington State Golden Jubilee session of Senate and HousePage 328
 Resolution by, expressing appreciation to fourth estate.....Page 706
- War Materials:**
 Japan, prohibiting shipment of, to, Senate Joint Memorial No. 3.
 Japan, shipment to, resolution regarding.....Page 475
- Warehouses:**
 Grains, flour, fruit, fish exempt from taxation if shipped from state within certain time, House Bill No. 264.
- Warrants:**
 Public utility district commissioners, issuance of, by, Senate Bill No. 200.
 School, to be registered in county treasurer's and school superintendent's offices, Senate Bill No. 466.
- Washington Apple Marketing Board:**
 Apples, prohibiting unfair trade practices and preventing frauds, House Bill No. 541.
- Washington Commission Merchants Act:**
 License required to sell agricultural products on commission, House Bill No. 135.
- Washington Dairy Products Commission:**
 Dairy products, advertising and sales promotion campaign to increase consumption of, House Bill No. 189.
- Washington Dog Racing Commission:**
 Creation of, duties of, Senate Bill No. 339.
- Washington Feed, Fertilizer, and Livestock Remedy Act:**
 Registration of commercial feeds, fertilizers and livestock remedies, House Bill No. 351.
- Washington Food, Drug and Cosmetic Act:**
 Manufacture, shipment, sale of misbranded food, drugs, devices and cosmetics, Senate Bill No. 15.
- Washington State Association of County Commissioners:**
 Coordination of county administrative programs, execution by, Senate Bill No. 359.
- Washington State Bar Association:**
 Legal aid bureau, powers and duties of bar association in creation of, House Bill No. 30.
- Washington State Board of Pharmacy:**
 Licenses for retailers or wholesalers of certain prophylactics, board to have jurisdiction of, House Bill No. 60.
- Washington State Chiropractors' Association:**
 Establishment of, rules and regulations, Senate Bill No. 322.
- Washington State College:**
 Appointment of Board of Regents of.....Page 424
 Chemistry laboratories of, available to State Patrol, for crime detection, Senate Bill No. 441.
 Clarke-McNary act and cooperative farm forestry act, federal funds to be received from, House Bill No. 289.
 Confirmation of appointment of members of Board of Regents of....Pages 456, 510-12
- Washington State College Fund:**
 Creating; abolishing college current fund, House Bill No. 247.

Washington State Commission:

Pacific Northwest Centennial exposition, creating commission for, House Bill No. 156.

Washington State Commission on Interstate Cooperation:

Development of a more perfect union among various governments in the United States, Senate Bill No. 204.

Washington State Employment Service:

Aliens and non-residents prohibiting employment of, on public works; requiring men to be hired through, House Bill No. 161.

Washington State Extension Service:

Soil conservation committee, member to be director of, Senate Bill No. 343.

Washington State Honey Seal:

Honey, regulating sale and marketing of, House Bill No. 227.

Washington State Meat Seal:

Meat inspection, seal must be affixed to meat and meat food products, House Bill No. 83.

Washington State Patrol:

Animals, appointment to administer act relative to prevent cruelty to, Senate Bill No. 154.

Assistance to be given by certain departments of the University of Washington and Washington State College, Senate Bill No. 441.

Billboard advertising, assistance to be given by, Senate Bill No. 221.

Bus drivers' shift of 10 hours, enforce observance of, Senate Bill No. 212.

Communication system, authorization and maintenance, Senate Bill No. 338.

Injured or incapacitated members of, to be relieved from duty, Senate Bill No. 333.

Investigation, appointment of committee, Senate Joint Resolution No. 2.

Petroleum product distributor act, enforcement of some rules by, Senate Bill No. 227.

Vehicle inspection equipment stations to be regulated by the, Senate Bill No. 484.

Washington State Penitentiary:

Prisoners' release from, House Bill No. 240.

Supervision and temporary care of persons paroled from, Senate Bill No. 3.

Trusty camps, certain prisoners to be sent to, House Bill No. 242.

Use of merchandise manufactured for state, Senate Bill No. 29.

Washington State Poultry Congress Committee:

Exhibition at exposition in Cleveland, Ohio, state's exhibit to be handled by, Senate Bill No. 384.

Washington State Reformatory:

Lands, purchase of additional, for use of, Senate Bill No. 99.

Prisoners' qualifications for release from, House Bill No. 240.

Supervision and temporary care of persons paroled from, Senate Bill No. 3.

Teachers of, retirement system to apply to, Senate Bill No. 188.

Trusty camps, certain prisoners to be sent to, House Bill No. 242.

Use of merchandise manufactured for state use, Senate Bill No. 29.

Washington State Tobacco Commission:

Establishment of, Senate Bill No. 67.

Washington State Training School:

Teachers of, retirement system to apply to, Senate Bill No. 188.

Washington State Veterinary Medical Commission:

To conduct examinations for veterinarians and enforce laws relating to, House Bill No. 393.

Washington Toll Bridge Authority:

- Ferries, acquisition, construction, operation and financing of, empowered by, Senate Bill No. 253.
- Operation and maintenance Lake Washington and Narrows bridges, Senate Bill No. 12.

Washington Uniform Food, Drug and Cosmetic Act:

- Establishment of, for safeguarding public health, Senate Bill No. 315.

Washington Utility District Authority:

- Water and power resources, conservation of, under the, Senate Bill No. 199.

Washington Utility District Authority Fund:

- Creation of, for conservation of water and power resources, Senate Bill No. 199.

Watches:

- Sale of used, records to be kept, Senate Bill No. 300.

Water:

- Application for appropriation or storage of, notice to be sent to director of fisheries and game, Senate Bill No. 304.
- Bonds for construction of works, revenue bond law of 1939, Senate Bill No. 286.
- Conservation of, under Washington utility district authority act, Senate Bill No. 199.
- Dam or storage of, to be approved by supervisor of hydraulics, Senate Bill No. 111.
- Diking districts, authorizing, to improve rivers which overflow and damage lands within boundaries; may contract with other districts for same, House Bill No. 565.
- Irrigation districts, authorizing board to release lands for domestic water purposes, House Bill No. 126.
- Supplying of, by cities or towns, regulations to be observed, Senate Bill No. 274.
- Water rights and ditches regulating loan, exchange, or lease of, House Bill No. 477.

Water Districts:

- Revenue bonds, issuance and sale of by, Senate Bill No. 361.
- Street lighting systems, authority given to, for construction and maintenance, Senate Bill No. 358.
- Taxation on certain property in, Senate Bill No. 440.
- Water rights and ditches, regulating loan, exchange, or lease of, House Bill No. 477.
- Water supply systems, operated by, regulations to be observed, Senate Bill No. 386.

Water Power:

- Fees by claimants of, to be paid into reclamation revolving fund, House Bill No. 177.

Water Revenue Redemption Fund:

- Creation of by water districts, Senate Bill No. 361.

Waterway:

- Vacation of Des Chutes in Olympia, Senate Bill No. 257.

Waterway Districts:

- Dissolution of, when all obligations have been paid, Senate Bill No. 349.
- Districts, dissolution of when all obligations have been paid, Senate Bill No. 349.

Weeds:

- Congress, petitioning, to enact legislation and provide funds for control of noxious weeds, House Joint Memorial No. 21.

Welsfield, Leo:

- Introduced at Golden Jubilee Session.....Page 335

Western Washington College of Education:

- Appropriation for, Senate Bill No. 433.
- Cigarette tax receipts, .03% to be paid to fund of, Senate Bill No. 260.
- Retirement system to apply to teachers of, Senate Bill No. 188.

Western Washington State Custodial School:

- Teachers of, retirement system to apply to, Senate Bill No. 188.

Weyerhaeuser Timber Company:

Appropriation for payment of judgment to, Senate Bill No. 433.

Whatcom County:

Fish traps and pound nets, establishment of, in vicinity of, Senate Bill No. 429.
Highways on Point Roberts in, to be made part of secondary state highway system,
Senate Bill No. 369.

Wheat:

Tax upon person selling, Senate Bill No. 113.

Whidby Island:

Anacortes to, establishment of primary state highway, Senate Bill No. 473.

White Pass Highway:

Appropriation for completion of, Senate Bill No. 475.

Wholesalers:

Monopolies, prohibiting unfair competition, discrimination and practices in connection with sale of certain articles to prevent, House Bill No. 282.

Wildlife-Restoration Projects:

Department of game to establish and conduct, House Bill No. 231.

Wilkins, William J.:

Appointment of, to Board of Prison Terms and Paroles.....Page 424
Confirmation of appointment of.....Page 458

Williams, Morris:

Appropriation for payment to, Senate Bill No. 433.

Witnesses:

Appointment of expert, by the court, Senate Bill No. 77.
Attendance of, for prosecution or investigation purposes, Senate Bill No. 97.
Out-of-state, compelling their attendance in criminal cases, House Bill No. 243.
Perpetuation of testimony of, in judicial proceedings, Senate Bill No. 425.
Social welfare worker not to be examined as to communications made to him while in his official capacity, Senate Bill No. 136.
Subpoena of, for investigation of hospital associations, medical service bureaus, Senate Bill No. 311.
Subpoena of, for testimony relative to Department of Agriculture, Senate Bill No. 224.
Subpoena of, relative to conservation of oil and gas, Senate Bill No. 169.

Workmen's Compensation:

Amending part of, relating to medical and surgical care of workmen injured, Senate Bill No. 83.
Compensation for those injured in extrahazardous employment, Senate Bill No. 100.
Occupational disease, compensation for disability or death incurred by employee resulting from, House Bill No. 100.
Radios and electrical refrigerators, installing and servicing of, defined as extrahazardous, House Bill No. 91.

Works Progress Administration:

Continuation of by appropriation of \$875,000,000, Senate Joint Memorial No. 5.
W. P. A. wages, petitioning congress to make uniform throughout the state, House Joint Memorial No. 18.

Wrestling:

Civilian Conservation Corps, Army, Navy exempt from securing of license for exhibition of, Senate Bill No. 259.

World War:

Children of soldiers, sailors and marines killed during, to have educational opportunities, House Bill No. 78.
Disabled veterans, appropriation for rehabilitation of, House Bill No. 25.

Yakima:

Appropriation for, Senate Bill No. 433.

County engineer of, to be member of Cascade Tunnel Commission, Senate Bill No. 380.

State highway No. 5N, beginning in, to Tieton to vicinity of Snoqualmie National Forest, Senate Bill No. 299.

Yelm:

Alder to, establishment of secondary state highway, Senate Bill No. 368.

Zindorff, Edward and Cedric:

Appropriation of \$38.00 for relief of, Senate Bill No. 463.

Zones:

Agricultural prorated marketing, establishment of, Senate Bill No. 336.

Highway, elimination of business or educational use of land, Senate Bill No. 370.