

SENATE JOURNAL  
OF THE  
Twenty-Fourth Legislature  
OF THE  
STATE OF WASHINGTON  
AT  
Olympia, the State Capital

Convened January 14, 1935  
Adjourned Sine Die, March 14, 1935



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VICTOR A. MEYERS, President  
ED PEIRCE, President Pro Tem  
HARRISON W. MASON, Secretary

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COMPILED, EDITED AND INDEXED BY  
HARRISON W. MASON,  
SECRETARY OF THE SENATE

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# JOURNAL OF THE SENATE

## OF THE TWENTY-FOURTH SESSION

### FIRST DAY

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, January 14, 1935.  
Twelve o'clock Noon.

The Twenty-fourth 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 Samuel J. Chaney of the First Methodist Episcopal Church of Olympia offered prayer.

The following certificate of election from the Secretary of State was read by George E. Starr, Acting Secretary of the Senate:

#### MESSAGE FROM THE SECRETARY OF STATE.

DEPARTMENT OF STATE, OFFICE OF THE SECRETARY,  
OLYMPIA, WASHINGTON, January 14, 1935.

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

SIR: I, Ernest N. Hutchinson, 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 sixth of November, 1934, as shown by the official return of said election now on file in the office of Secretary of State; and also the list of "hold-over" senators from the twenty-third 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-fourth biennial session commencing January 14, A. D., 1935, as appears from said election returns.

#### LIST OF SENATORS ELECTED NOVEMBER 6, 1934.

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 2.....	David E. McMillan.....	Stevens and Pend Oreille
No. 3.....	W. R. Orndorff.....	Spokane
No. 6.....	Fred S. Duggan.....	Spokane
No. 7.....	Joseph Drumheller.....	Spokane
No. 8.....	J. P. Keller.....	Adams, Ferry and Lincoln
No. 9.....	Geo. H. Gannon.....	Whitman
No. 11.....	*E. L. Brunton.....	Walla Walla
No. 13.....	Walter G. Ronald.....	Grant and Kittitas
No. 14.....	Geo. F. McAulay.....	Yakima
No. 15.....	A. M. Murfin.....	Yakima
No. 21.....	J. W. Thein.....	Grays Harbor
No. 24.....	*John David Bengtson.....	Jefferson, Mason and Clallam
No. 26.....	Ralph Metcalf.....	Pierce
No. 29.....	G. B. Kerstetter.....	Pierce

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 30.....	H. I. Kyle.....	King
No. 31.....	Earl Maxwell.....	King
No. 32.....	Edmund J. Miller.....	King
No. 33.....	James A. Murphy.....	King
No. 34.....	Paul G. Thomas.....	King
No. 35.....	James Dailey.....	King
No. 36.....	Geo. A. Lovejoy.....	King
No. 37.....	Judson W. Shorett.....	King
No. 38.....	L. E. Tewksbury.....	Island, part; Snohomish, part
No. 42.....	S. C. Roland.....	Whatcom
No. 43.....	W. C. Dawson.....	King
No. 44.....	Charles H. Todd.....	King
No. 45.....	P. Frank Morrow.....	King
No. 46.....	Mary U. Farquharson.....	King

## LIST OF HOLDOVER SENATORS.

<i>District</i>	<i>Name</i>	<i>Counties Represented</i>
No. 1.....	Horace E. Smith.....	Okanogan and Douglas
No. 4.....	Ed Peirce.....	Spokane
No. 5.....	Kebel Murphy.....	Spokane
No. 10.....	John F. Worum.....	Asotin, Garfield and Columbia
No. 12.....	John H. Ferryman.....	Chelan
No. 16.....	Chas. F. Stinson.....	Benton, Franklin, Klickitat, Skamania
No. 17.....	H. L. Nelson.....	Clark
No. 18.....	Frank G. Barnes.....	Cowlitz and Wahkiakum
No. 19.....	Fred Norman.....	Pacific and Grays Harbor
No. 20.....	Dr. D. O. Nugent.....	Lewis
No. 22.....	E. N. Steele.....	Thurston
No. 23.....	Paul Mehner.....	Kitsap
No. 25.....	C. Nifty Garrett.....	Pierce
No. 27.....	Kathryn E. Malstrom.....	Pierce
No. 28.....	J. H. Ryan.....	Pierce
No. 39.....	Keiron W. Reardon.....	Island, part; Snohomish, part
No. 40.....	W. J. Knutzen.....	Skagit and San Juan
No. 41.....	Scott M. Ryan.....	Whatcom

In Testimony Whereof, I have hereunto set my hand and affixed the Seal of the State of Washington, at Olympia, this 14th day of January, 1935.

(SEAL OF THE STATE  
OF WASHINGTON)

ERNEST N. HUTCHINSON,  
*Secretary of State.*

(NOTE—The names prefixed by a star "\*" are of persons appointed by Boards of County Commissioners to fill vacancies occasioned by the resignations of elected members.)

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

The newly elected members of the Senate were sworn in by Chief Justice William J. Millard of the Supreme Court of the State of Washington.

Senator Kebel Murphy nominated Senator Ed Peirce for President Pro Tempore of the Senate.

Senator Fred Norman nominated Senator Horace E. Smith for President Pro Tempore of the Senate.

Senator Keiron W. Reardon moved that nominations be closed.

The motion carried.

The Acting Secretary called the roll and Senator Ed Peirce was elected President Pro Tempore by the following vote.

Those voting for Senator Smith were: Senators Barnes, Bengtson, Brunton, Dawson, Knutzen, Metcalf, Norman and Stinson—8.

Those voting for Senator Peirce were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd and Worum—36.

Absent or not voting: Senators Peirce and Smith—2.

Senator Walter G. Ronald nominated Harrison W. Mason for Secretary of the Senate.

On motion of Senator Fred Norman, the Acting Secretary was instructed to cast the unanimous ballot of the Senate for Harrison W. Mason for Secretary of the Senate.

Senator P. Frank Morrow nominated Joseph Mehan for Sergeant-at-Arms of the Senate.

On motion of Senator Fred Norman, the Secretary was instructed to cast the unanimous ballot of the Senate for Joseph Mehan for Sergeant-at-Arms.

The Secretary read:

**SENATE RESOLUTION.**

By Senator Ed Peirce:

*Resolved*, That the rules of the 1933 Senate, as printed in the Journal for that year, be adopted as permanent rules of the Senate for this session with the addition in Rule 6 of a committee to be known as "Flood Control" and a change of the name of the present "Unemployment Relief Committee" to that of "Public Welfare and Unemployment Relief."

On motion of Senator Peirce the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION.**

By Senator Malstrom:

*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 Malstrom, 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.

On motion of Senator Farquharson, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION.**

By Senator Steele:

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

On motion of Senator Steele, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION.**

By Senator Ryan (Scott M.):

*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 Ryan (Scott M.), the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION.**

By Senator Drumheller:

*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 Drumheller, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION.**

By Senator McAulay:

*Resolved*, That the Committee on Senate Employees be, and hereby is fully empowered and authorized to fix and adjust all salaries of employees of the twenty-fourth Senate; and

*Be It Further Resolved*, That any employee of the Senate found lobbying for increase of pay shall be subject to dismissal.

On motion of Senator McAulay, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION.**

By Senator Ryan (J. H.):

*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 shall 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 Ryan (J. H.), the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION.**

By Senator Ronald:

*Resolved*, That when the Senate adjourns today that it adjourn in the memory of Senator William Bishop of Clallam, Jefferson and Mason Counties.

On motion of Senator Ronald, the resolution was adopted.

The Secretary read:

**SENATE RESOLUTION.**

By Senator Reardon:

*Resolved*, That the use of Committee Room Number One be given to the newspaper men of the session of this Legislature.

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 Peirce, Murfin and Miller.

**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 unpaid expenses of the twenty-third Legislature and the expenses of the twenty-fourth Legislature and declaring an emergency."

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

**Senate Bill No. 2**, by Senator Nelson, 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-fourth Legislature and declaring an emergency."

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

On motion of Senator Steele, 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 Steele in the chair, and reported back to the Senate with the recommendation that they do pass.

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

Senator Norman 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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Tewksbury, Thein, Thomas, Todd and Worum—41.

Absent or not voting: Senators Miller, Murfin, Peirce, 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.

Senator Reardon 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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Tewksbury, Thein, Thomas, Todd and Worum—41.

Absent or not voting: Senators Miller, Murfin, Peirce, 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.

At 12:38 p. m., the Senate recessed until 2:00 p. m. on motion of Senator Reardon.

#### AFTERNOON SESSION.

The Senate was called to order at 2:00 p. m., by President Meyers. Senators Murphy (Kebel), Ferryman and Malstrom demanded a call of the Senate.

The 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 except Senator Metcalf.

On motion of Senator Ryan (J. H.), the Senate proceeded under the call of the Senate.

The Secretary read:

#### MESSAGE FROM THE SECRETARY OF STATE.

DEPARTMENT OF STATE, OFFICE OF THE SECRETARY,  
OLYMPIA, WASHINGTON, January 14, 1935.

*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 sixth, nineteen thirty-four, as canvassed by me from the returns made to this department by the several county auditors of the State.

Respectfully,

ERNEST N. HUTCHINSON, *Secretary of State.*

#### RECAPITULATION OF THE VOTES CAST IN THE GENERAL ELECTION HELD IN THE STATE OF WASHINGTON ON TUESDAY, NOVEMBER THE SIXTH, NINETEEN THIRTY-FOUR.

##### INITIATIVE MEASURE NO. 77.

"AN ACT relating to fishing; prohibiting the use of fish traps or other fixed appliances for catching salmon and certain other fish within the waters of the State

of Washington; prohibiting the taking or fishing for salmon and certain other fish within a certain area therein defined and created by any means except by trolling, regulating trolling in such area, and permitting the operation of gill nets therein under certain conditions; providing for open and closed seasons, prohibiting drag seines and limiting the length of gill nets in the Columbia River; prescribing penalties; and repealing all laws in conflict therewith."

For .....275,507  
 Against .....153,811

INITIATIVE MEASURE NO. 94.

"AN ACT relating to taxation; limiting the aggregate annual rate of levy on real and personal property for state, county, city or town, school district and road district purposes to forty mills; limiting the levy by the state to two mills to be used exclusively for the support of the University of Washington, Washington State College and the Normal Schools; limiting the levy by counties, cities and towns, school districts and road districts to certain designated maximums; excepting port districts from the operation of the act; and providing that additional levies may be made as therein provided."

For .....219,635  
 Against .....192,168

REFERENDUM MEASURE NO. 18.

"AN ACT authorizing cities and towns to use, sell and dispose of electric energy inside and outside their corporate limits to acquire, construct, own, control, operate and maintain lands, easements, franchises, distribution systems, sub-stations, intertie or transmission lines or other connections to enable it to use, purchase, sell and dispose of electric energy, inside or outside its corporate limits, with right to condemn certain classes of private power systems or parts thereof, franchises or other private property, and reserving to such cities and towns all powers under existing laws."

For .....221,590  
 Against .....160,244

AN AMENDMENT TO THE STATE CONSTITUTION.

"A RESOLUTION amending Section 12 of Article XI of the Constitution by providing that the legislature shall have no power to impose taxes upon counties, cities, towns or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town or other municipal purposes, but by general law may limit such taxes and may supervise and control the valuing of property for local taxation and the administration of laws relating to such taxation, and may apportion state funds among counties, cities, towns and other municipal corporations."

For .....129,310  
 Against .....189,002

AN AMENDMENT TO THE STATE CONSTITUTION.

"A RESOLUTION amending Section 1 of Article VII of the Constitution by providing that 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; providing that there shall be such exemptions from taxation as the legislature may by general law provide; and providing that nothing contained in this section shall be construed to prevent the enactment of a graduated net income tax law."

For .....134,908  
 Against .....176,154

UNITED STATES SENATOR.

Reno Odlin.....	Republican .....	168,994
L. B. Schwellenbach....	Democratic .....	302,606
John F. McKay.....	Socialist .....	7,192
Glen S. Corkery.....	Washington State American Liberty League.....	453
George Edward Bradley..	Communist .....	3,470
Edward Kriz.....	Socialist Labor.....	556
William J. Wilkins.....	Cincinnati Non-Partisan Movement .....	11,866
Chester H. Thompson....	Prohibition .....	1,551

REPRESENTATIVES IN CONGRESS.  
FIRST DISTRICT.

Bert C. Ross.....	Republican	38,350
Marion A. Zioncheck.....	Democratic	68,395
Tillman K. Garrison.....	Socialist	2,431
James Murphy.....	Communist	874
Cecil R. Fuller.....	Cincinnatus Non-Partisan Movement	8,500

SECOND DISTRICT.

Payson Peterson.....	Republican	23,638
Mon Wallgren.....	Democratic	50,486
Petar Woltulewicz.....	Socialist	1,211
Elmer M. Allan.....	Communist	9

THIRD DISTRICT.

Russell V. Mack.....	Republican	21,750
Martin F. Smith.....	Democratic	48,887

FOURTH DISTRICT.

John W. Summers.....	Republican	27,637
Knute Hill.....	Democratic	35,702

FIFTH DISTRICT.

Mansfield E. Mack.....	Republican	18,397
Sam B. Hill.....	Democratic	58,901

SIXTH DISTRICT.

Emery Asbury.....	Republican	21,883
Wesley Lloyd.....	Democratic	52,314

JUDGES OF THE STATE SUPREME COURT.

POSITION NO. 1—SIX-YEAR TERM.

Walter B. Beals.....	245,413
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POSITION NO. 2—SIX-YEAR TERM.

Bruce Blake.....	226,618
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POSITION NO. 3—SIX-YEAR TERM.

James M. Geraghty.....	176,153
Ralph C. Bell.....	132,224

*In Testimony Whereof*, I have hereunto set my hand and affixed the seal of the State of Washington, at Olympia this 14th day of January, 1935.

(SEAL OF THE STATE  
OF WASHINGTON)

ERNEST N. HUTCHINSON,  
*Secretary of State.*

On motion of Senator Reardon, the message and recapitulation was ordered spread upon the journal.

The Secretary read:

**MESSAGES FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 24, 1934.

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

I am filing herewith, to be transmitted to the Senate at the next Session of the Legislature, without my approval, Senate Bill No. 73, entitled:

"An Act relating to the removal of Regents and Trustees of the University of Washington or Washington State College."

It is evident that the advocates of Senate Bill No. 73 had in mind the insuring of a more secure tenure of office for the regents, and, in turn, a continuity of administration for the University and State College. This Act, however, completely divests the governor of the power of removal of the regents of these institutions.

The purpose of this Act might better be accomplished by a law which would preserve the power of the governor to remove. But, if any governor should attempt

wholesale and unwarranted removals, then some provision of law for the review of such arbitrary action might be wholesome.

Inasmuch as I have full confidence in the present boards of regents, and realizing that no emergency exists in the administration of either of these institutions to require action by the extraordinary session of the legislature, I feel that this Act may well be vetoed, and that more matured consideration might be given this question at the next regular session of the Legislature.

These institutions of higher learning are sustained by the public and their affairs should be administered by regents in sympathy with the aspirations of the people and the taxpayers who support them. The people speak through their governor. I cannot bring myself to approve a law which completely removes the regents from responsibility to the governor, and, through him, from their responsibility to the taxpayers.

Therefore, Senate Bill No. 73 is vetoed.

Respectfully submitted,  
CLARENCE D. MARTIN,  
*Governor of Washington.*

On motion of Senator Peirce the message was ordered spread upon the journal and the bill referred to the Committee on Rules and Joint Rules.

The Secretary read:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 24, 1934.

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

I am filing herewith, to be transmitted to the Senate at the next Session of the Legislature, without my approval, Senate Bill No. 75, entitled:

"An Act creating and establishing a state fire fund for insurance of public buildings and property of political subdivisions of the state of Washington, which now carries fire insurance or may hereafter do so; fixing the powers and duties of the state insurance commissioner in connection therewith; providing for the maintenance thereof and the payment and adjustment of losses; authorizing the state insurance commissioner to employ necessary help and incur and pay such other expenses as may be necessary, also purchase other insurance on certain classes of risks, limiting the amount of expense that may be incurred and repealing all Acts in conflict herewith."

Briefly, this measure attempts to establish an insurance system for the governmental and political subdivisions of the state, but, while the sponsors seemingly were spurred by the worthy purpose of economy for the taxpayers, it is regrettable that the bill was not prepared to more accurately reflect their purpose and to recognize the prevailing economic conditions in Washington.

It is apparent, even to the layman, that the bill is improperly drawn, being ambiguous in many respects and not adapted to conditions and situations in Washington; undoubtedly, the result would be misunderstandings and doubtful operation during the period when it would most urgently require public confidence and support.

Obviously, too, it is an inopportune time to begin an experiment in public insurance. While such a policy and system might mean a measure of economy in the long run, it would require, as does any new enterprise or business, an immediate investment or preliminary outlay that unquestionably would be a hardship on many public subdivisions just at the time when they are making a hard struggle, if not a losing fight, to make both ends meet. Thus, it seems to me, the sponsors of the plan are risking unnecessary misunderstanding by launching their plan at this time, probably not stopping to realize that failure now might defeat the ultimate enactment and success of a more suitable and practical system of state insurance.

Therefore, I am constrained to veto Senate Bill No. 75.

Respectfully submitted,  
CLARENCE D. MARTIN,  
*Governor of Washington.*

On motion of Senator Reardon, the message was ordered spread on the journal and the bill referred to the Committee on Rules and Joint Rules.

On motion of Senator Ryan (J. H.), the call of the Senate was dispensed with.

At 2:25 p. m., on motion of Senator Malstrom, the Senate recessed subject to the call of the Chair.

At 2:29 p. m. the Senate reconvened.

At 2:31 p. m., on motion of Senator Todd, the Senate adjourned until 10:00 a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## SECOND DAY

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### MORNING SESSION.

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, January 15, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Samuel J. Chaney of the First Methodist Episcopal Church of Olympia offered prayer.

The Secretary called the roll, all members being present.

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

At 10:05 o'clock a. m. the Senate recessed subject to call of the Chair.

The Senate reconvened at 10:10 a. m.

A committee from the House, Messrs. Van Dyk, Ledgerwood and Ott, appeared at the door of the Senate and notified the Senate that the House was organized and ready to do business.

The Secretary read:

#### MESSAGE FROM THE SECRETARY OF STATE.

DEPARTMENT OF STATE, OFFICE OF THE SECRETARY,  
OLYMPIA, WASHINGTON, January 14, 1935.

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

DEAR SIR:

On the twenty-first day of August, 1934, Fred W. Lewis, a member of the Executive Committee of the Washington State Grange, for and on behalf of said committee tendered five (5) copies of a proposed measure to be an initiative to the Legislature of the State of Washington accompanied by his affidavit giving the names and post office addresses of the members of said committee, and that all members are legal voters, also that the name and post office address of the committee or organization proposing this initiative petition for submission to the Legislature is:

"Executive Committee, Washington State Grange,  
3123 Western Avenue, Seattle, Washington."

Accompanying the petition and affidavit was a request that the Secretary of State give the measure a serial number and send a copy to the Attorney General for ballot title, as provided by law;

That said copies of the proposed measure were filed and the measure was given serial No. 2 and a copy transmitted to the Attorney General for a ballot title, and on August 22, 1934, the following ballot title was received from the Attorney General:

## "BALLOT TITLE

## "Initiative Measure To The Legislature No. 2.

"An Act relating to primary elections, providing for a Blanket Primary Ballot, amending Sections 5185, 5187, 5189 and 5195 of Remington's Compiled Statutes of 1932, and repealing all laws in conflict therewith."

I certify that the exact language of the above quoted ballot title was transmitted to Fred W. Lewis, Secretary of the Washington State Grange, 3123 Western Avenue, Seattle, Washington, by telegram and confirmed by mail as is required by law.

I certify further that on November 27th, 1934, Fred W. Lewis, for and on behalf of this same committee of the Washington State Grange and as a member thereof, submitted petitions said to contain approximately 93,321 names of legal voters for filing and canvass and requesting that the report of the final canvass and count be certified to the Legislature in the manner provided by law.

With the petitions was a statement of receipts and disbursements had in connection with the circulation of petitions which was verified by the affidavit of Fred W. Lewis, Secretary and member of the Executive Committee of the Washington State Grange.

On November 27th, 1934, a preliminary canvass of names of voters who signed the petitions was made, the result of which indicated that there were apparently 93,321 names signed to said petitions. The petitions were accepted for further examination, canvass and count as is required by law.

In the absence of the Governor, the sheets containing the signatures were detached in the presence of Cliff Yelle, State Auditor, and A. C. Martin, State Land Commissioner. They were then bound in seventy-two volumes for convenience in filing and canvassing as is permitted by law.

I certify further that on December 27th, 1934, Fred W. Lewis, for and on behalf of this same committee of the Washington State Grange and as a member thereof, submitted petitions said to contain approximately 17,686 names of legal voters for filing and canvass and requesting that the report of the final canvass and count be certified to the Legislature in the manner provided by law.

With the petitions was a statement of receipts and disbursements had in connection with the circulation of petitions which was verified by the affidavit of Fred W. Lewis, Secretary and member of the Executive Committee of the Washington State Grange.

On December 27th, 1934, a preliminary canvass of names of voters who signed the petitions was made, the result of which indicated that there were apparently 17,686 names signed to said petitions. The petitions were accepted for further examination, canvass and count as is required by law.

In the absence of the Governor, the sheets containing the signatures were detached in the presence of Cliff Yelle, State Auditor, and Otto A. Case, State Treasurer. They were then bound in thirty-five volumes for convenience in filing and canvassing as is permitted by law.

I hereby certify that upon canvass and count I have found upon said petitions, the signatures of more than the required number of legal voters, certified to by me and by the various rural registration officers after rejection of the names of those who signed more than one petition.

A certified copy of the proposed measure and a certified copy of the affidavit accompanying it are presented to you.

Respectfully submitted,

ERNEST N. HUTCHINSON, *Secretary of State.*

On motion of Senator Peirce, the message was ordered spread upon the journal and Initiative Measure No. 2 was referred to the Committee on Elections and Privileges.

Senator Peirce moved that Rule No. 63 be suspended.

The motion carried.

The Secretary read:

STATE OF WASHINGTON, COLUMBIA BASIN COMMISSION,  
CIVIC BLDG., SPOKANE, WASH., January 12, 1935.

*To the Secretary of the Senate, Legislature of the State of Washington,  
Olympia, Washington:*

Under Chapter 81 of the Session Laws of 1933 which created the Columbia Basin Commission, the Commission is required to report to all regular and special sessions of the Legislature, presenting statements in detail of all activities, expenditures and developments, and recommending, if desired, such legislation as may be required to promote the construction and development of the Columbia Basin project. The Commission made its first report to the Legislature on December 19, 1933. The work accomplished on the project since that date has been so voluminous that the Secretary of the Commission has been unable to complete the second report of the Commission in time for the opening of the present session of the Legislature. The report, however, will be completed this coming week and will be promptly filed when completed.

In behalf of the Commission, I therefore respectfully request that the Senate give the Commission a week or ten days from the date of convening in which to file this report covering the period subsequent to the date of its first report.

Sincerely yours,

JAMES O'SULLIVAN, *Secretary, Columbia Basin Commission.*

Senator Ronald moved that the request for time extension be granted.  
The motion carried.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 14, 1935.

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**, relating to the appointment of a committee to notify the Governor that the Legislature is organized.

On motion of Senator Steele, the resolution was adopted.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 3**, by Senator Ryan (Scott M.), entitled: "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this state, prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the State Director of Licenses in connection therewith, and prescribing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Ryan (Scott M.) 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. 4**, by Senator Nelson, entitled: "An Act relating to the passage of ordinances by cities and authorizing cities to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects, together with amendments and additions thereto: Provided, Not less than three printed

copies of such code or codes, or amendments or additions thereto, in book form, have been filed with the clerk prior to the taking effect thereof."

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

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 15, 1935.

MR. PRESIDENT:

The Speaker has appointed Representatives Ledgerwood, Wanamaker and Emory as House members of the Joint Committee to notify the Governor that the Legislature is organized.  
S. R. HOLCOMB, *Chief Clerk.*

The President appointed Senators Orndorff and Kyle as Senate members of the committee authorized under House Concurrent Resolution No. 1.

The Senate recessed at 10:30 o'clock a. m. subject to the call of the Chair.

The Senate reconvened at 11:18 a. m.

Senator Orndorff reported to the Senate that the committee had notified the Governor and that the Governor had advised the committee that he would deliver his message tomorrow afternoon at 2:00 p. m.

Senator Nelson moved that the hours of the employees of the Senate be so arranged that they would be able to attend the Governor's Ball.

The motion carried.

At 11:33 a. m., on motion of Senator Maxwell, the Senate adjourned until 11:00 a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## THIRD DAY

### MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, January 16, 1935.

The Senate was called to order at 11:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Samuel J. Chaney of the First Methodist Episcopal Church of Olympia offered prayer.

The Secretary called the roll, all members being present.

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

The Secretary read:

#### SENATE CONCURRENT RESOLUTION NO. 1.

By Senator Peirce:

*Be It Resolved* By the Senate, the House concurring, that until the 35th day of this twenty-fourth session neither the Senate nor the House shall convene in the afternoon, but all sessions of the Senate and all sessions of the House shall be held in the forenoon between the hours of 9:00 a. m. and 12:00 noon, except such afternoon sessions as may be necessary to consider any special matter that cannot be postponed to the next day.

*And Be It Further Resolved*, That the Appropriations Committee, the Revenue Committee, and the Roads and Bridges Committee of the Senate, and of the House, shall convene in their respective rooms at the hour of 1:30 in the afternoon of each week-day, except Saturday, and shall continue in session during each such day for a period of at least two hours, or such lesser time as may be necessary to complete the business before the committee.

Senator Peirce moved that Senate Concurrent Resolution No. 1 be adopted.

Senator Steele moved that the resolution be referred to the Committee on Rules and Joint Rules.

Senator Ryan (J. H.) moved the adoption of the following amendment: Amend the resolution by "lengthening the time from 12:00 noon to 1:00 p. m."

Senator Nugent moved that the resolution be laid on the table.

Senator Malstrom moved that the amendment to the resolution be laid on the table.

Senator Nugent renewed his motion that the resolution be laid on the table.

Senators Ryan (J. H.), Morrow and Farquharson demanded a roll call. A roll call was ordered.

The Secretary called the roll on the motion to lay Senate Concurrent Resolution No. 1 on the table and it lost by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Ferryman, Knutzen, Norman, Nugent, Smith and Stinson—10.

Those voting nay were: Senators Dailey, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom,

Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas and Worum—34.

Absent or not voting: Senators Metcalf and Todd—2.

Senator Reardon moved that the resolution be made a special order of business immediately after the joint session.

The motion carried.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 15, 1935.

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.*

#### INTRODUCTION OF BILLS.

**Senate Bill No. 5**, by Senator Nugent, entitled: "An Act to prevent the procreation of persons socially inadequate from defective inheritance, by authorizing and providing for the eugenical sterilization of certain potential parents carrying degenerate hereditary qualities."

The bill was read the first time, and on motion of Senator Nugent 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. 6**, by Senators Malstrom and Lovejoy, entitled: "An Act relating to the welfare of minor children, their care, custody, control and adoption, and providing penalties for violation thereof; and repealing Chapter 62 of the Laws of 1933."

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 Judiciary.

**Senate Bill No. 7**, by Senators Miller and Ryan (J. H.), entitled: "An Act providing for the creation of an old age pension commission, creating an old age pension fund, providing for the deposit of certain money therein, and the expenditure thereof, amending Sections one, two, six, seven and twelve of Chapter twenty-nine of the Session Laws of 1933, and amending Section nine of Chapter fifty-five, Session Laws of 1933, repealing all acts or parts of acts in conflict with the provisions hereof, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Miller 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. 8**, by Senator Miller, entitled: "An Act requiring licenses for the operation, maintenance, or establishment of stores, in this state, prescribing the license and filing fees to be paid therefor; and providing for the collection and disposition thereof, and the powers and duties of the state director of licenses in connection therewith, and prescribing pen-

alties for the violation thereof; and declaring unlawful the operating, maintaining, opening or establishment of stores without a license; and making an appropriation with which to carry out its purposes; defining certain terms; providing for renewals of licenses; providing that the revenue derived shall be deposited in the Old Age Pension Fund of the state treasury for apportionment as other Old Age Pension Funds to counties, as provided in Section 9, Chapter 55, Laws of 1933."

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

The President announced he was about to sign Senate Bills Nos. 1 and 2. The Senate recessed at 11:30 o'clock a. m. subject to call of the Chair.

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### AFTERNOON SESSION.

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The Senate reconvened at 12:10 o'clock p. m., Senator Peirce in the Chair.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 16, 1935.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 2; also House Concurrent Resolution No. 3; also

The Speaker has signed Senate Bills Nos. 1 and 2,  
and the same are herewith transmitted. S. R. HOLCOMB, *Chief Clerk.*

At 12:35 o'clock p. m., on motion of Senator Steele, the Senate recessed until 1:30 o'clock p. m.

The Senate was called to order at 1:35 o'clock p. m. by President Meyers. The Senate recessed at 1:38 subject to call of the Chair.

The Senate reconvened at 2:00 o'clock p. m., Senator Peirce in the Chair.

A committee of three members of the House appeared at the door of the Senate and announced that the House was assembled and awaited the arrival of the Senate to receive the message of the Governor.

At 2:05 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.

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### JOINT SESSION.

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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 2:20 o'clock p. m.

The President of the Senate presided.

The Secretary of the Senate called the roll of the Senate, all members being present.

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

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

Representative Adams moved that a Committee of five, consisting of two Senators and three Representatives, be appointed to notify the Governor that the Joint Session is ready to receive his message.

The motion carried.

The President appointed as a committee to notify the Governor, Senators Murphy (James A.) and Peirce, and Representatives Reeves, Adams and Eddy.

The committee retired.

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

The special committee escorted His Excellency, Governor Clarence D. Martin, to a seat upon the rostrum.

The President:

"Your Excellency, the twenty-fourth session of the Legislature is convened here in joint session. We are ready and anxious to receive your message.

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

#### **MESSAGE OF GOVERNOR CLARENCE D. MARTIN TO THE LEGISLATURE.**

*Mr. President, Mr. Speaker, Ladies and Gentlemen of the Legislature, My Fellow Citizens of Washington:*

Custom gives the Governor the singular opportunity to personally meet and greet you at the outset of your session, while the Constitution makes it mandatory on the Governor to report on the condition of the state and to outline such changes, reforms and new plans that may be considered for the benefit of the people and the progress of the commonwealth.

I am happy to avail myself of the opportunity, not only to meet you personally, but also to assure you of my friendly and constant cooperation in the working out and the enactment of a progressive and wholesome program for the promotion of the public welfare.

#### **LIBERAL SPIRIT SHOWN BY 1933 LEGISLATURE.**

Likewise, I am pleased to conform to the constitutional requirement. It permits me again to commend the foresight, courage and liberal spirit of the 1933 Legislature. It gives me occasion to present and detail an administrative record of economy, friendly relations, widespread service and progress toward economic and social rehabilitation. Then, it gives us the basis and opens the way to jointly send a reassuring message of faith, hope and work to the people throughout Washington.

#### **MEET CRITICAL CONDITIONS.**

You will remember that critical conditions prevailed in Washington when the Legislature convened in January of 1933. Thousands upon thousands of our citizens were depressed, dismayed, devoid of hope. Thousands of men, women and children were dependent on private charity and uncertain local relief. Many were hungry and desperate. Banks were closing, wiping out the savings of the average family, destroying the investments of the rich. Banks which remained open, other financial institutions and corporations were shaky—yes, and most of their leaders and their managers were terrified. Business, both big and small, were insecure. But the most distressing and disturbing feature of the situation was the mental state of our citizens and neighbors. Uncertainty, doubt and anxiety gripped the minds of most of the people. Thinking was erratic, disorderly, threatening.

#### **OBEY MANDATE OF NEW ORDER.**

It was at this time, the most critical stage of the depression, that we stepped forward to take charge of government. We took charge under unmistakable mandate

to move toward a new economic and social order—to turn the facilities and powers of government toward the relief and solution of those economic and social difficulties and problems which might be relieved and solved by legislation and administration. More specifically, we were directed to feed the hungry, to help those who were deprived of gainful employment, to safeguard popular education, to brighten the lives and the future of the neglected and distressed children, to relieve the worry of elderly dependents, to maintain our living standards, to liquidate frozen deposits, to provide more safety for remaining monetary holdings and credits, to redistribute and balance the tax burden. In brief, to do those things which would combine to assure every man the right to live as a normal human being.

#### NUMBER ON RELIEF 25% LESS.

Well, what has happened in the State of Washington? What is the record? Today, no person is required to go hungry—every worthy man, woman and child is furnished the necessities of life. The number of unemployed and dependents on relief is lower by more than 25 per cent. Our schools are open, providing education for nearly 5,000 more children than two years ago. Some of our elderly dependents are receiving pensions, while all of them are reassured by the common knowledge that soon old-age pensions will be available regularly.

#### ECONOMIC OUTLOOK IMPROVES.

Our farmers generally are experiencing steady improvement for the first time in several years. The farmers' purchasing power had dropped to an index of 61 toward the close of 1932. Today it is up to the index of 79. Washington industry and labor are sharing in a measurable revival of activity. Industries reporting to the state showed a payroll of \$129,000,000 for 1932, which was increased to more than \$168,000,000 during 1934, making the substantial gain of nearly \$40,000,000. Business generally showed a marked improvement during 1934. Our banks have been made safe and banking service has been extended. Liquidation of closed banks is proceeding rapidly and orderly. Deposits have been safeguarded and have increased by nearly \$100,000,000 since the bank holiday of early 1933.

#### SPIRIT OF PEOPLE CHEERS.

But the most significant and cheering upturn is in the mind and the spirit of the people. Thinking is more orderly and rational, and even those who are without the independence of work who might be expected to yield to the temptation of false prophets, remain patient and show no disposition to follow the malcontents and agitators who would lead them into communism and social insurrection. There is throughout Washington a steady restoration of confidence and faith. This betterment in the morale of our citizens is not due entirely to the actual improvements in conditions, but also somewhat to the fact that those in control have plans, determination and daring, instead of only the indifferences to simply stand by to let things shift for themselves.

#### COURSE MOVES FORWARD.

It is true, of course, there still are some who stand detached to scoff, to ridicule, to complain and to profess fear over the financial costs and consequences of the changes already made and the changes under way. But would you permit them to swerve you from the forward course? Certainly you wouldn't. Do they really mean of what they complain? Certainly not. Where is the farmer, or the wage-earner, or the unemployed man who would prefer to return to the troubled times of the fall of 1932 to take his chances under the old order of things? Where is the banker, or the capitalist, or any business man who willingly would wipe out the last two years and turn backward to those dark, dark days of early 1933?

#### PRESIDENT ROOSEVELT'S LEADERSHIP INSPIRES.

Now, fellow citizens, I do not presume to suggest that the upward turn in Washington is due wholly to this Legislature, or to the Governor, or to a combination of forces within our state. Primarily, it is due to the spirited and inspiring leadership of President Roosevelt. We are being carried forward by his vision, faith and daring—by his wholehearted concern for the welfare of our people, especially for those who are unable to provide for themselves. But we are entitled to a measure of credit. The 1933 Legislature provided properly for our schools, institutions and other state responsibilities. Then, provisions were made for timely coop-

eration with the federal government and the state administration strived constantly to carry on such relations in a frank and faithful manner; and, I am happy to say, the cooperation was appreciated by the national administration. Thus, we benefited because we tried to do our part; and I trust we shall continue to assume and carry our share of the load.

#### DARE TO DO FOR THE WEAK.

Of course I do not pretend to claim that Washington has recovered. But we have reduced the handicap of social fear and have made a fair start on the road to recovery. Yet much remains to be done, and several troublesome problems must be considered and settled by this Legislature. We shall succeed, however, if we dare to hold that under prevailing conditions the privileges of the few must be subordinated to the welfare of the whole; and that our first responsibility is to protect the weak, to care for the defective, to relieve the distressed, to restore the broken family—in short, to help those who are falling back or losing the way in life's struggle.

My fellow citizens, it is imperative, if we are to properly consider the different reports, problems and recommendation, that we constantly remember three or four important factors which have emerged to seriously affect and shift the governmental revenues, responsibilities and service of our local districts, counties, cities and state.

#### EMERGENCY DUTIES ADD COST.

1. Remember that the responsibilities, functions and costs of the central government are greatly increased in times of economic emergency and social distress. That is, of course, if the central government is responsive to the needs of the people. For example, the 1933 Legislature, which was responsive to the needs of the people, found it necessary to provide for the biennium more than \$20,000,000 in emergency funds for the relief of unemployed, distressed farmers and schools.

#### PROPERTY TAX LEVIES LIGHTER.

2. Remember that the property tax levy has fallen from the peak of \$81,000,000 in 1929 to \$44,000,000. Beginning in 1930, property tax levies for local, county and state purposes moved downward year after year; 1930, 80 million; 1931, 73 million; 1932, 66 million; 1933, 54 million; 1934, 48 million; and 1935, 44 million.

#### LOCAL UNITS LOSE REVENUE.

3. Remember that this relief of the property taxpayers has deprived local districts, cities and counties of their primary source of revenue, thus making it practically impossible for them to carry on some functions of government. So the state, which has more latitude in raising revenue from sources other than property, is called upon to take over some of the more important local responsibilities and functions.

#### HELPFUL SERVICE IS TRUE MEASURE.

We must remember, too, that the true way to measure the cost of government is by the amount of helpful service rendered to the people. Therefore, when we raise money to relieve or replace a local function, we must see that we render more help and a larger service, especially to those who cannot help themselves; and the people must see that the shifted local cost is not reestablished under some other form.

#### EXPENSES REDUCED IN ALL DEPARTMENTS.

Exact expenditures for comparable functions and comparable periods most accurately tell the record of management, and I am pleased to report that every state department, both elective and code, is spending less money. Based on the first 20 months of each biennium, expenditures from the general fund on comparable functions have been reduced 15 per cent by the elective offices, two per cent by the legislative and judicial branches and 26 per cent by the code departments and appointive offices.

#### SAVINGS ARE SUBSTANTIAL.

Under the same conditions, total expenditures in the last biennium were \$61,000,000, while the total for this biennium is \$56,200,000, making a reduction of more than \$5,000,000. General fund expenditures on comparable functions totaled \$6,727,000 in

the last biennium, while the total for this biennium is \$6,042,000, or a reduction of \$685,000. Consequently, the estimated deficit of \$1,500,000, which was anticipated for the close of the biennium because of failure in 1932 to make a property levy for 1933 and the decrease in miscellaneous revenues, will be only between \$400,000 and \$500,000.

#### OBTAIN 25 NEW BUILDINGS.

Notwithstanding the fact that the Legislature found it impossible to provide even the most needed capital improvements, we managed to work out and complete a building program worth more than \$4,000,000. This program includes 25 buildings of various kinds and sizes at the state's three mental hospitals and penitentiary, bringing these institutions up to the best physical standards in the United States; four units on the campus of the university, three units on the campus of the college, and a modern administration building for the Department of Highways on the Capitol grounds. This program was beneficial, too, in that it provided considerable work relief for many skilled and unskilled citizens who otherwise would be unemployed.

#### SECURES EXTRA FUNDS.

Fortunately, the Legislature made some money available, which placed us in position to take advantage of certain matching provisions and thus obtain much larger sums from the federal and state work relief funds. We spent \$602,000 of the money appropriated by the Legislature, but obtained \$1,480,000 in federal grants and \$1,990,000 from the emergency bond issue.

#### SUGGEST BUILDING PROGRAM CONTINUE.

It seems to me it would be good business to make provision for similar building progress during the next two years, and I suggest you make conditional appropriations totaling around \$3,500,000 from the general and the different special funds. We then would be in position to match with the government, its agencies or any local authority, and it should be provided that none of the building appropriation be spent without the approval of the Governor. Most of our institutions need more capital improvements than we can afford, especially our mental hospitals, which are being overcrowded. Each of the five schools of higher learning needs one or more buildings; our fisheries and game departments require some construction work, there is need of a state armory in Seattle, and the liquor control board and other functions in Olympia need either new quarters or more space. Therefore, I urge you to grant the necessary authority so we may be in position to take advantage of the best opportunities to proceed along these lines—not merely to obtain new buildings, but to show our faith, show progress, provide employment and set an example for private industry and enterprise.

#### FARM RETURNS CLIMB.

Recovery and progress in Washington depend to a large extent on agriculture, so it is encouraging to know that the products of our farms, orchards and meadows are yielding substantially higher returns than two years ago. Just now, apples and wheat, our two main crops, are in distress, yet the applegrowers and the wheatgrowers are doing much better than in 1932 and a little better than in 1933. Returns on dairy products are 75 per cent higher than early in 1934, while producers of livestock, poultry, berries and vegetables are faring better, too.

#### AGRICULTURAL ADJUSTMENT ACT BENEFITS.

This strengthened agricultural structure, with the exception of wheat, which is under a form of federal control, is due in a large measure to the enactment and administration of the Washington Agricultural Adjustment Act. It was passed as an emergency measure by the special session a year ago, was made revocable by the Governor, and was made effective just as prices to the producers were going into a "tail spin." The act stabilized local prices and prevented demoralization. Consequently, and without taking credit for natural market increases, the dairy producers of our state have gained nearly \$2,000,000 in 11 months under the provisions of the Emergency Agricultural Act. Under this act, the Department of Agriculture, with the approval of the Governor, has worked out and made effective 34 market agreements for major farm commodities. There have been some criticisms, of course, but producers generally agree that the market agreements have been beneficial to the agricultural industry.

## RECOMMEND EXTENSION.

Since the Agricultural Adjustment Act was made effective for only one year, I recommend that the measure be reenacted for two years and that it be made subject to revocation by executive order.

One other important reason for renewal of the Washington Agricultural Adjustment Act is in the fact that it has served to correct a competitive practice of certain large merchants and chain store operators which neighborhood grocers and small independent dealers have protested as unfair. I mean the old practice of making milk, butter, bread or some other staple commodity a "loss leader"—that is, selling such a commodity at a loss to attract other business. Of course the neighborhood grocer or the small independent dealer, having a limited trade area and a limited business, feels he is unable to match such practices. But the Agricultural Adjustment Act has corrected this practice to the point of practical elimination.

Bulb production is becoming a substantial industry in Washington, and it should be encouraged, not only because of good yields to farmers, but also because most of the income is expended for labor. Removal of the domestic and foreign quarantines would cause our bulb industry to perish. Therefore, I suggest you memorialize the federal government to maintain the quarantines.

## STRENGTHEN AUDITING SYSTEM.

Proper stewardship of public money is the primary requirement of public trust. Therefore, it is deemed necessary to have auditing to deter the weak and susceptible, to disclose the culprit, for the information and guidance of executives and for reassurance of the public. There now are two state departments making audits, but both have other duties, and auditing of the code departments, elective offices, boards, commissions and political subdivisions is far behind. I believe the Legislature should make it a point to simplify and strengthen the state auditing system. I suggest you have a committee investigate and discuss the matter with the state auditor and the Governor so we may determine on the necessity and form of a vitalized and independent system of audits.

## LIBERALIZE STATE FUNDS INVESTMENT LAW.

Prompt revision and liberalization of the provisions for investment of state funds is urgently needed and recommended. Our current funds total \$10,000,000 or more, substantial balances of which frequently are held without gaining adequate interest; while our permanent funds total more than \$43,000,000 and have an annual reinvestment turnover of around \$1,600,000. It would be profitable to the state if the finance committee had the authority and discretion to invest such portions of the current funds as it may deem necessary and expedient in such sound government, state, county, municipal and school district bonds and warrants which are found within the limit of legal indebtedness. It would be helpful, too, if the 3¼ per cent limitation and the premium limitation be removed in regard to the investment of permanent school funds. Then it seems advisable to make more profitable use of the accumulating surplus in the 1933 bond retirement fund by permitting investment in government bonds or by the purchase of 1933 general obligation bonds of Washington. Bills for these and other changes have been prepared for your consideration, and I urge that a suitable committee of the Senate and House be directed to confer immediately with the state finance committee, not only so we may work out the best system for sound, timely and profitable investment, but also because two or three of the necessary changes should be considered as emergency measures.

## ACCIDENT AND MEDICAL AID FUNDS IMPROVE.

Splendid progress is being made by the Department of Labor and Industries. On April 1, 1932, the accident and medical aid funds had a balance of \$338,000, while the balance at this time is \$1,281,000, which makes a net increase of \$943,000 in 20 months. Moreover, there has been no increase in rates since April 1, 1933. This record is due largely to energetic management, which is shown by the fact that more than 5,400 industrial firms have been placed on the rolls and required to pay their share of the insurance premiums. It is significant, too, that this gain was made under lower operating costs.

## COMBAT ORGANIZED CRIME.

Crime and law enforcement persist as growing problems, and it is obvious that the state must take over more and more responsibility if we are to keep pace and protect our citizens from those who neither recognize nor respect the law. Of course we shall never have enough laws and police to stop crimes of emotion, ignorance and human weakness. The proportion of such crimes is reduced primarily by the process of civilization and social progress—better home training, more education and the general betterment of mankind. But we can and must be prepared to cope with professional crime, and we can combat organized crime and specialized crime only by properly organized and specialized police forces.

## ENLARGE STATE PATROL.

My recommendation for meeting the crime situation is that we enlarge and reorganize the system of the Washington state patrol. The 1933 legislature enlarged the powers of the patrol, but did not make enough provision to extend and facilitate the larger powers. Yet the patrol managed to make a good record in its new field. I believe we should move toward a patrol of at least 150 men, divide the force into five or six districts, have grades or rank and seniority, and provide for details for specific phases of law enforcement. Such a patrol would be prepared to cooperate quickly with federal forces, would relieve the sheriffs and other local police, would reassure the people and would be a stronger restraint on those who plot and organize for crime.

## PUBLIC HEALTH WORK MERITS GREATER SUPPORT.

Conservation and development of the public health has been neglected too long in Washington, despite the fact that the physical well-being of the men, women and children is the foundation for the general advancement of the commonwealth. Our health department has been limited in scope and authority, which is borne out by the fact that only one state in the union provides less for public health than Washington. We provide at the rate of 2½ cents per capita, while New York provides 41 cents, and the average for all states is 15 cents.

Fortunately, Washington has a natural healthful environment and the lowest infant mortality in the United States, due to the relatively mild climate, sparse population, open air industrial life and outdoor recreational facilities. But we must not depend entirely on nature. Our health problems increase with growth of population and changes toward manufacturing, indoor work and large industrial projects. For instance, both the Grand Coulee and Bonneville developments created serious health problems, but we managed to properly meet the situation because the federal and state relief agencies provided \$82,000 for the health emergency.

Our department of health, which is being vitalized with the help of the United States Public Health Service, now is asking for a little more than \$300,000 for the biennium, or at the rate of 10 cents per capita per year, and I recommend such provision as a sound investment for the benefit of the common health.

## SAVE SCENIC FORESTS.

Our roadside forests, which are owned largely by private interests, are being cut and it is feared that this part of the natural beauty of Washington soon will be destroyed. Members of the state parks committee and the Governor made determined efforts to prevent the cutting of highway timber on Snoqualmie and Naches passes, but we failed for the lack of authority. I believe we should save the highway trees, but I do not believe selective logging is satisfactory and I doubt if the state can go extensively into the business of buying highway forests; but I do recommend legislation to permit the exchange of state and federal timber for private roadside timber, and this suggestion is made with the assurance of cooperation of the federal government.

## SCENIC RESOURCES ARE BEING DEVELOPED.

While we could not stop the cutting of roadside forests, considerable progress was made toward the preservation, beautification and development of our natural scenic resources. Our state parks committee, forestry division, highway department, relief commission and the federal relief and civilian conservation forces worked separately and together to improve our parks, build forest roads and trails, establish and landscape recreational areas and to prevent destruction by fire. I believe we should do everything possible to encourage this splendid work.

#### CCC WORK INVALUABLE.

Specifically, we should show definite appreciation of the CCC camps and their work. From 8,000 to 10,000 sons of Washington are enrolled in these camps, which are located in all parts of the state, and they have rendered untold service in building roads, trails, telephone lines, clearing and forest fire protection. Moreover, this work conserves human resources, builds men and keeps hundreds of our boys from the paths that lead to crime and the reformatory. I recommend that you memorialize Congress to maintain the CCC work.

#### PROGRESS MADE IN FISHERIES PROGRAM.

Our fisheries yielded products valued at \$11,000,000 during the last two years, which is a gain of around \$3,000,000 over the previous two years, and I urge constant efforts to conserve and promote this industry. Strict control of seasons and timely regulations were practiced by the department, even in the face of pressure from strong forces, so there was a healthy escapement of salmon to the spawning areas to assure good runs during the next several years. I suggest, however, that it would be profitable to provide a reasonable sum for investigation and research, which will provide information on which to base regulations, control of seasons, escapements to spawning grounds and the general conservation and development of this valuable industry.

#### NEED SALMON TREATY.

We need an international salmon treaty, too, and negotiations for such a treaty are in progress between British Columbia and Washington. Negotiations are rather uncertain, however, because four treaties have been proposed by the United States, ratified by Canada, then dropped by the United States. So our Canadian neighbors are not enthused over proposals for a new treaty, but I am hopeful that the matter will be worked out before long.

#### RECLAMATION PROJECTS AIDED.

Rehabilitation of distressed irrigation, drainage and diking districts has been carried out so well during the last 20 months that Washington now stands foremost in successful irrigation and reclamation. Briefly, the state refinanced 19 districts, purchasing nearly \$3,000,000 worth of bonds and warrants for a trifle over \$1,000,000. Loans totaling \$292,000 were made to 26 districts for repairs and improvements. In addition, the state helped 11 districts to obtain \$1,000,000 from Reconstruction Finance Corporation to retire debts totaling \$2,215,000; and helped a number of districts to obtain a total of \$600,000 from federal and state relief funds for urgent repairs and improvements.

#### FLOOD CONTROL NECESSARY.

Considerable progress toward flood control was made during the year, chiefly as emergency work in the counties of Cowlitz, Thurston, Kitsap, Snohomish and Skagit. In addition to the direct work, the department of conservation cooperated to obtain more than \$1,800,000 from federal and state relief funds for flood control.

Because flood control is a growing problem, I recommend the adoption of a definite policy of flood control, perhaps supported by a reasonable appropriation, so we may be in position to cooperate with Federal agencies to prevent erosion and save lowlands in Western Washington.

#### GRAND COULEE AND BONNEVILLE AID STATE.

It is gratifying to note that Washington is feeling the benefits of two of the largest industrial developments in the United States—the Grand Coulee and Bonneville power projects, both of which have been started since the meeting of the 1933 Legislature. In fact, the 1933 Legislature is entitled to considerable credit for the Grand Coulee project. While our members of the Congress worked steadily for the project, the Legislature created the Columbia Basin commission, which obtained \$377,000 from the emergency bond issue, completed necessary surveys and other preliminaries, established the good faith of our state and thereby won the approval of the President for an allocation of \$63,000,000. Work is well under way on the Grand Coulee project, which, under present plans, will be confined to power. More than 3,000 men are employed on Grand Coulee, all residents of Washington, while nearly 400 of our residents are employed on the Bonneville project.

## CONTINUE BASIN COMMISSION.

While it may appear to some that the Columbia Basin commission has fulfilled its purpose, I recommend that it be continued to work for a power market, to strive for enlargement of the Grand Coulee project to include irrigation, and to form a super irrigation district of 1,250,000 acres in the Columbia Basin.

Frankly, I am convinced that the Grand Coulee project will be enlarged to include the so-called high dam and irrigation, which will create an empire in the center of Washington, and my conviction is based on personal observation of the vision and enthusiasm of President Roosevelt.

COLUMBIA BASIN A HAVEN FOR THOUSANDS—  
WORK FOR HIGH DAM.

My fellow citizens, our state was honored greatly last summer by the visit of the President of the United States. I mention it at this time because the Grand Coulee project was the magnet which attracted him, and the possibilities of its development fascinated him. It was my good fortune to accompany President Roosevelt to Bonneville and Grand Coulee, observe him as he inspected the work on the dam, talked with the people and viewed that great expanse of dry, fertile land that needs only water to grow the choicest of agricultural products and to sustain thousands of families and thousands of new homes. I gained this impression and inspiration: That President Roosevelt is not so much interested in the dredging of a river, or the construction of a dam, or the generation of power, or the pinning down of dry soil with water—not primarily concerned with the reclamation of material resources—but that his chief concern is for the betterment of a people, for the reclamation and development of human resources. I was convinced, then and there, that he visioned the Columbia Basin area as a haven for thousands of families that are finding life difficult in other parts of the country. So, convinced that President Roosevelt favors the high dam and the irrigation of the Columbia basin, I urge this Legislature, the commission and our citizens in general to work together toward this great development for the benefit of our state and the Pacific Northwest.

## HIGHWAY WORK GIVES EMPLOYMENT.

I am pleased to report an excellent record by the Department of Highways. So far the department has handled work costing more than \$18,000,000, of which \$9,200,000 came from the Federal Government, and has given supervision to the expenditure of more than \$14,000,000 by the counties on secondary roads. Yet this large volume of work has been performed at an overhead cost of only \$403,000, or \$280,000 less than was spent in the corresponding period of the last biennium. Moreover, the highway department extended itself for unemployment relief, causing the employment of more men by requiring contractors to observe a minimum wage scale and the 30-hour week.

## DIVERSION OF FUNDS UNDESIRABLE.

You will hear many proposals for diverting funds from the gasoline tax to general government and purposes other than highways, but I trust you will not be persuaded to make any such diversion. It would endanger federal aid and start our road program on a backward course.

## NEW CODE WILL MAKE FOR ECONOMY.

Complying with a mandate from the 1933 Legislature, the department has worked out and drafted a comprehensive, modern state highway code, and I think it deserves your thorough scrutiny and consideration. Briefly, it centralizes all road-building activities in the state, creating a system of 43,000 miles of highways, of which 30,000 miles now are maintained. Unquestionably such a central system would make for economy, eliminate considerable duplication of machinery and equipment, and probably save as much as \$1,000,000 a year in overhead.

## RETAIN CONTROL IN THE LEGISLATURE.

Now I favor such a state system, but I am doubtful of the provision for a budget board of three members, who would be named by the Governor and who would have full control of the distribution of road funds. It seems to me that the control of road funds is a responsibility of the Legislature, and I would prefer to see it retained by the Legislature. I am sure it would be more satisfactory if the Legislature would make

allocations by highways and require the department and engineers to designate the individual projects according to the needs of the system.

#### REGULATION OF UTILITIES.

Several other reports and matters of varied importance are commended to your consideration. The Department of Public Works has presented a comprehensive report to show progress in the regulation and reduction of utility rates and the regulation of trucks; but seeks your help to reduce legal delays on reviews, to complete investigations of the larger utility concerns and for the change of its name to that of the Department of Public Service.

#### GAS TAX LAW SAVES \$1,000,000.

Two features of the report of the Department of Licenses are worthy of attention—the working of the new gasoline tax refund law, which has saved upwards of \$1,000,000 in two years by stopping fraudulent refunds, and the change to local distribution of motor license plates, which has proved to be an economy and a convenience to the public. I recommend the continuance and strengthening of these beneficial features.

#### GASOLINE PRICES MERIT STUDY.

Monopolistic control of gasoline is working a hardship on the people of Washington, not only by maintaining prices at undue levels, but also by preventing competition by independent dealers. Gasoline is a public necessity and the public should be protected from monopolistic prices. If we can force down the price by 1 cent a gallon, it will save more than \$2,500,000 a year for the consumers of Washington; if we can reduce the price by 3 cents a gallon, it will save more than \$7,500,000 a year.

#### SUGGEST PROMPT ACTION.

This monopoly should be broken, but unfortunately there is no state law or authority under which it can be broken. Efforts during the last year to lower the price of gasoline, both by the Governor and others, failed for the lack of authority. Therefore, I urgently request this Legislature to make a prompt investigation of the gasoline industry and prices and create the proper authority for obtaining lower prices for the benefit of the consumers of our state. It seems to me this matter should not wait, but should be regarded as an emergency and the investigation be ordered immediately so the necessary legislation may be enacted before the close of this session.

#### MUST CURB NARCOTIC EVIL.

Our laws for control of the narcotic evil need strengthening. We must move for closer cooperation with the federal authorities for curbing narcotic dealers, and we must begin to consider hospitalization for narcotic victims.

I suggest you consider the enactment of a definite small-loan law. Because of the stress of the times, many of our people have exhausted their reserves, must resort to small loans and find themselves paying exorbitant interest. It would be helpful if you would establish a reasonable interest on such loans.

#### LIQUOR CONTROL SATISFACTORY.

Because of the emergency caused by the repeal of the Eighteenth amendment, I deemed it necessary to call a special session of the Legislature in December, 1933, to consider the liquor problem, and I am pleased to advise that the resultant system of state monopoly and state control is proving to be satisfactory to the people in general.

#### ILLICIT SALES ARE REDUCED.

The primary purposes of state control of hard liquor were to eliminate private profit and make legal, safe liquor available at the lowest possible prices. Both purposes have been accomplished to a measurable extent. Since March 31, 1934, when the first state sale was made, the liquor board established 46 stores and 103 agencies and kept down prices to the lowest levels in the United States. Profits from nine months of growing operations exceed \$1,700,000. It is estimated that sales of liquor and wines during 1935 will total more than \$10,000,000 and yield a profit of \$2,000,000 to \$3,000,000. I mention sales and profits chiefly to show how much liquor business is being diverted from illicit channels.

#### BETTER LOCAL ENFORCEMENT NEEDED.

While the people as a whole have shown a reasonable respect for the liquor law, there have been some violations, chiefly in the larger cities, and better enforcement by local authorities is needed. It should be understood, however, that the three members of the liquor board have been burdened by the responsibility of setting up a new and extensive business, which left little time for supervision; but soon they will be freer to exercise more control and to obtain closer cooperation from local authorities.

#### PLANNED DEVELOPMENT OF RESOURCES.

One of the most progressive steps taken by the 1933 Legislature was the creation of the Washington State Planning Council, which as a part of the national planning board and working through a score of special committees and with the aid of technical experts from the university and college, has gone far to chart the proper courses for the development of our natural resources and the solution of our economic and social problems. No funds were provided for the council, so I allotted \$10,000 from the emergency fund, and the beneficial services already rendered are assuredly worth the cost. Members of the council are public-spirited citizens, serving without pay, and I believe the Legislature may well encourage their work and services for the orderly and timely development of the commonwealth.

#### MAINTAIN EDUCATION STANDARDS.

Education of our youth, both poor and rich, which is the foundation and security of democracy, continues to be one of the paramount purposes of this commonwealth; and I am confident that the Legislature and administration will cooperate to maintain our leading standard of public education among the most progressive states of the Union.

#### HIGHER EDUCATION MORE POPULAR.

We are popularizing higher education. The university and college now have nearly 12,000 students, making a gain of more than 3,000 students in two years. This increase is due largely to the new policy of making both institutions available to every boy and girl who graduates from an accredited high school of Washington, instead of appealing primarily to honor students. Yet this policy of educational democracy is not secure. Some forces constantly work against it. They seem to think the university and college should be publicly endowed and privately ruled. Let us be on guard against specious proposals that would undermine the democracy of these schools. Let us remember and emphasize that the university and college are public institutions, maintained by public expense and dedicated to public service—open for all, not for only the select few.

#### COMMON SCHOOLS NEED HELP.

We have succeeded in maintaining our standard of common education, too; managing so far to keep open every public school, but it is an uphill fight. Our schools were saved by the 1933 Legislature with the adoption of the equalization program, which preserved the "barefoot schoolboy" principle, and the enactment of the emergency business occupation tax, which was necessary to replace the loss of local revenues under the 40-mill limit law. Then, those in charge of the administration of the schools, notably the teachers, responded to the spirit of the times and practiced economy all along the line. Yet, as we near the close of the school year, we find 471 schools struggling to remain open, with 87 schools listed for closing in March, but it is my hope and determination that we shall find a way to help these distressed schools to keep open and operate until the end of the school year.

#### MORE PUPILS WITH LESS FUNDS.

Just a few points will give us a clear picture of the school situation. Six years ago the annual budget approached \$30,000,000, while this year the revenue available dropped to less than \$20,000,000. Yet, during the same period, there was an increase of more than 12,000 pupils; the number of teachers was reduced by 1,150, and teachers' salaries were reduced by a total of \$6,000,000. Consequently, we have nearly 1,000 teachers working for less than \$50 a month, nearly 300 teachers working for less than \$30 a month, and hundreds of teachers breaking under the strain of unduly large pupil loads.

**FIFTEEN MILLION DOLLARS ASKED BY COMMON SCHOOLS.**

Now, as we look ahead, it is estimated by the most experienced and practical administrators that our common schools, considering the increased enrollment, will require up to \$26,000,000 a year. Definite income from local districts, counties and permanent bond interest totals \$11,000,000 a year. Thus the state is being called upon to raise and provide up to \$15,000,000 a year, which was pledged under the 1933 school equalization law.

**CANNOT POSTPONE OPPORTUNITY.**

Obviously we must make some provision to meet this emergency. Children are born and grow up in times of depression. We cannot put them into cold storage until better days. They have only one chance for childhood, one chance for education, and these opportunities cannot be postponed. Some material things can wait, if necessary, but not our children. I know most of you agree, so let us go so far as possible toward the fulfillment of our obligation of providing 25 cents a day per school child, which means a maximum of \$15,000,000 a year.

It seems to me, however, that we should make a definite stipulation for a reasonable restoration in the compensation for teachers, with the first increases being for the teachers in the lower brackets. Our teachers need something more substantial than merely the praise of being members of a noble profession, and it is regrettable that the pay for teaching our children is less than that which prevails in the commercial and business fields.

**EFFECTIVE RELIEF AFFORDED.**

Two far-reaching emergency measures, the Washington Emergency Relief Commission and the \$10,000,000 bond issue, were enacted by the 1933 Legislature, and I am pleased to report that both measures have worked effectively to relieve hunger, to provide work and to restore and strengthen the faith and spirit of our citizens. Frank and detailed reports on both measures will be submitted to you in the course of two or three days.

**HUNDREDS OF PROJECTS CARRIED.**

By cooperating with the federal and local governments and agencies, we succeeded in increasing the \$10,000,000 bond issue to a total work relief fund of nearly \$17,000,000. This fund provided more than 300 substantial projects and several hundred minor projects—such as state institutional buildings, hospitals, schools, water and sanitary systems, bridges, roads, and many dike, drainage, irrigation and harbor improvements. Every county benefited under the works program.

**WE MUST CARRY OUR SHARE.**

Moreover, the bond issue was regarded as a practical demonstration of good faith and established the credit of Washington with the Federal government. Four months ago, when states were being called upon to assume their share of the relief burden, Washington was relieved from a demand for a special session of the Legislature because some money was made available by the bond issue and assurances by the Governor that the question of taking care of our part of the relief load would be considered by this Legislature. I trust you will recognize this pledge and maintain the good faith of our state.

**STATE RECEIVES MUCH AID—NEARLY FIFTY-SEVEN MILLION DOLLARS HANDLED.**

In May and June of 1933, the State Emergency Relief Administration was extending service to more than 287,000 men, women and children. This month there are 210,000 persons dependent on the relief rolls. While this represents a reduction in the relief rolls of 25 per cent, we must remember that January is the high month of unemployment, so our improvement is actually far better than 25 per cent. Although the original purpose of the relief administration was to relieve and prevent hunger and suffering, its duties and responsibilities were broadened by the Federal Relief Authority to include work relief, reconstruction and rehabilitation. The result is that the Emergency Relief Administration handled nearly \$57,000,000, of which \$36,000,000 was contributed directly by the Federal government, \$10,000,000 by the state and nearly \$11,000,000 by different federal, state, municipal and private agencies. This is exclusive of PWA grants totaling \$39,000,000 and the Grand Coulee allotment of \$63,000,000.

#### REQUESTS THOROUGH INVESTIGATION.

You will agree, of course, that the management of such a huge undertaking, with its involvement of \$57,000,000 in public funds, as well as the welfare of thousands upon thousands of our citizens, should be held to strict accountability. Therefore, you should be pleased to know that several weeks ago I asked the Federal government to make a complete investigation of the relief administration in this state, that the request has been granted, and that Federal investigators are on their way to make the study. I now request this Legislature to order and make a thorough investigation, so the people of Washington may know whether their funds and interests have been handled in a prudent and capable manner. I suggest the investigation be made immediately because the findings should be helpful in the shaping of our new program.

#### MUST PROVIDE DEFINITELY FOR RELIEF.

Our economic and social experience during the last two years indicate clearly that we shall have to provide definitely for work and home relief, to reduce fear of unemployment, to prevent the breaking up of families, and for the rehabilitation of those men and women who are unable to keep up with the new business and industrial pace and are finding it necessary to readjust themselves to the changing conditions. Then, of course, we must provide in a more certain and larger measure for the aged, infirm, blind, impoverished cripples and other unfortunate neighbors.

#### APPROPRIATE UNDER FLEXIBLE PROVISIONS.

It is impossible to estimate our exact needs for unemployment relief, but we do know that the Federal government will require the states to carry a larger share of the relief costs and that Washington stands committed to such a program. Therefore, I recommend that we pledge and provide up to \$5,000,000 a year, and that the money be appropriated under such flexible provisions that will permit the state administration to participate according to the needs and demands of the Federal government.

#### STATE ASSUME OLD AGE PENSIONS.

While the 1933 Legislature and this administration worked hard to establish a system of old-age pensions, I regret to report that the system has been more of a disappointment than a help to thousands of our elderly women and men. Most of our counties have been unable to pay the pensions. Consequently, I recommend that the Old-age Security Act be revised, vitalized and liberalized. I suggest that the counties be relieved of the cost and responsibility, that liquor and racing revenues now allotted to the counties for old-age pensions be diverted to the state general fund, and that the state assume full responsibility for old-age pensions. Such a system, which would guarantee \$30 a month, will necessitate from \$2,000,000 to \$3,000,000 a year, depending to what extent the Federal government participates. It is practically certain that the Congress will pass an old-age security law, and the most dependable estimates are that Washington will not be required to provide more than \$2,000,000 a year.

#### COOPERATE WITH RURAL REHABILITATION.

One-third of our families now on relief rolls live in rural districts, and constitute a peculiar problem and must be treated separately if they are to be helped toward economic independence. Fortunately, the Federal government has worked out a plan of rural rehabilitation, has requested Washington to join in the program, and I believe we should take advantage of any opportunity to relieve and restore such distressed citizens. This plan, financed entirely from federal funds, is designed to restore stranded families and stranded communities; and our only responsibility is to provide the agency under which such rehabilitation may be carried out. Such a state agency has been formed, but it is due to expire in May, and I recommend that you authorize its continuance for at least two years.

#### UNEMPLOYMENT INSURANCE.

It is practically certain, too, that the Congress will create a system of unemployment insurance, which will require state participation, and I suggest provisions be made under which Washington may cooperate along the required lines.

### FAVORS NEW AGENCY.

You understand, of course, that the act creating the Washington Emergency Relief Commission expires in May of this year, so it is necessary to either renew this act or to provide a new agency to cooperate with the Federal government in relief work and to administer the different welfare responsibilities of the state. I prefer the creation of a new agency, and I suggest we take advantage of the opportunity to reorganize and centralize two departments and the Relief Commission.

### COMBINE THREE DEPARTMENTS.

My recommendation is that we drop the Washington Emergency Relief Commission, Department of Business Control and the Department of Efficiency, and that their functions be centralized in two departments, which shall be known as the "Department of Public Welfare" and the "Department of Finance, Budget and Business." The welfare department should include divisions for relief, child welfare, old-age pensions and any other form of social relief that might be undertaken by the state. The Department of Finance, Budget and Business should include divisions for the supervision of banking, savings and loan, budget, institutions and purchasing.

### PLACE DIRECT RESPONSIBILITY.

Both departments should be under the administrative code and responsible directly to the Governor. It is proposed by some that the Department of Public Welfare, if created, should be under a commission, but I feel it is only fair to urge you not to adopt such an indirect and awkward system. The truth is that the Federal Relief Administration deals directly with the Governor, regardless of politics, and holds the Governor responsible. Consequently, a commission is more likely to be a political hindrance than a practical help.

### STATE NEEDS CALL FOR THIRTY-NINE MILLION DOLLARS.

It is evident that we shall need approximately \$39,000,000 during the biennium for general government, unemployment relief, old-age pensions, common schools and other functions which the state must assume for the sake of the public welfare.

### BALANCED TAX PLAN OFFERED.

But the problem of raising the needed revenue in a fully equitable manner is not an easy one. The available fields for revenue are few, practically limited to excise or sales taxes, which, as you know, fall disproportionately on the families of small income. Yet, despite these limitations, the State Tax Commission has worked out a fairly balanced program and I commend it to you as being worthy of consideration.

This plan includes:

#### BUSINESS TAX.

Retention of the business-occupation tax, with revised rates, because it has been tried for two years, found to work as well as any new tax and has met every constitutional test.

Continuation of the public utilities tax, with a possible revision of present schedules.

#### GIFT AND LUXURY TAXES.

Increase in the inheritance tax and imposition of a gift tax.

Upward revision of corporation filing and license fees.

Enactment of a luxury tax on cigarettes and tobacco products.

It is estimated that such a program will yield upwards of \$18,500,000 annually, which, with constant economy, should prove sufficient.

#### OPEN WAY FOR INCOME TAX.

But I believe we should move definitely for a still better balancing of this program, so the 1937 Legislature may be in position to relieve those who now are being asked to carry an undue share of the tax load. Therefore, I recommend resubmission of the two constitutional tax amendments which were defeated in the 1934 election, not only to open the way for a graduated net income tax, but also to open the way for tax relief on small homes.

## CONTINUE DELINQUENCY TAX ACT.

Results of the delinquency tax act, which makes it possible for delinquent taxpayers to contract with county treasurers for payment of back taxes in installments, justify its continuance in a modified form. Whatever we can do within reason to keep delinquent property on the tax rolls naturally must benefit all other taxpayers, so I recommend that this act be continued for at least another year.

## PROPOSES SEVERANCE TAXES.

You also will receive from the State Tax Commission a proposal for a natural resources severance tax, which is more of a conservation and development plan than a revenue measure, and I urge you to give it thorough consideration. Briefly, it provides for a gradual shift of taxes from standing timber to marketable timber. It is believed that this change in the time of taxing will help toward an orderly marketing of timber, help toward sustained yields of timber, and thus perpetuate the industry and communities dependent on the lumber industry.

## CONCLUSION.

Now, my fellow citizens and co-workers, I realize I have taken much of your time, and I appreciate your patience; but also I realize that you desire to know of the operations, services and problems of our government, so you may be in the best position possible to do those things which will tend to promote the well-being and happiness of the people you represent.

While I make my suggestions and recommendations with the firm belief that they are for the best interests of our state, I do not demand that they be respected as the last word, nor would I have you adopt them without the benefit of frank discussion. I trust you will feel free to discuss these matters with me. You, too, have beliefs and proposals, and I should be pleased to discuss them with you.

Frankly, if we are to succeed, we must counsel together for the wisdom to recognize and understand the needs of these difficult times. We must work together for the courage and strength to fulfill our responsibilities. We must strive with faith in our purposes.

Let us proceed, then, with the desire to conserve and develop, not to destroy; with the determination to build, not to tear down; with sincere purpose to bring understanding out of distrust and to displace fear by faith; and, by such devoted service, demonstrate to our fellow citizens that the responsibilities of government are in the keeping of worthy men and women of Washington."

CLARENCE D. MARTIN, *Governor*.

Olympia, Washington, January 16, 1935.

The President:

"Your Excellency; as members of the Legislature, we thank you for the valuable suggestions and recommendations contained in your message."

The President announced that immediately after adjournment of the respective bodies, printed copies of the Governor's message would be placed on the members' desks.

The President:

"I know I am expressing the sentiments of all the Members of the Legislature when I say we seriously realize the problems confronting us and as you have so expressed, I hope will result in benefits to the people of the State of Washington."

The committee thereupon escorted His Excellency, Governor Clarence D. Martin, back to the Governor's chambers.

Senator Lovejoy moved that the joint session dissolve.

The motion carried.

The Senate reconvened in the Senate Chamber at 3:30 o'clock p. m.

The President announced that the time for the special order having arrived, the Senate would proceed to consider Senate Concurrent Resolution No. 1 which was a special order for this time.

Senator Peirce moved that the special order be deferred until after the standing committees of the Senate had been announced and confirmed.

The motion carried.

On motion of Senator Lovejoy, the Senate referred back to the first order of business.

The Secretary read:

**Senate Joint Memorial No. 1**, by Senator Lovejoy, relating to the Grand Coulee Dam and Irrigation Project.

On motion of Senator Lovejoy, 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:

WESTERN UNION MESSAGE.

Received at 401 Capitol Way, Olympia, Washington,  
1935, January 15, 1:21 P. M.

WASHINGTON, D. C. 15-3:37 P.

LIEUT. GOV. VICTOR A. MEYERS  
*Washington State Senate*

Projects just approved by Public Works Administration include Pateros watermains eighteen thousand dollars Ridgefield water system twenty one thousand Ione sewers fourteen thousand five hundred Raymond reservoir seventeen thousand and following waterworks Omak eighteen thousand Sultan twenty thousand Almira twenty one thousand Marysville fifty seven thousand Mabton forty two thousand Aberdeen one hundred seventy seven thousand stop Please notify senators interested and transmit to Speaker of House stop Best wishes to all Legislators for successful session.

HOMER T. BONE,  
LEWIS B. SCHWELLENBACH.

On motion of Senator Reardon, the message was ordered spread on the journal.

The Secretary read:

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 16, 1935.

MR. PRESIDENT:

The House has passed House Joint Memorial No. 4, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

At 3:45 o'clock p. m., on motion of Senator Steele, the Senate adjourned until 12:00 noon tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate*.

## FOURTH DAY

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, January 17, 1935.

Twelve O'Clock, Noon.

The Senate was called to order at 12:00 o'clock M. by President Victor A. Meyers, pursuant to adjournment.

Reverend Samuel J. Chaney, of the First Methodist Episcopal Church of Olympia offered prayer.

The Secretary called the roll, all members being present except Senators Metcalf and Farquharson.

On motion of Senator Ronald, Senator Metcalf was excused.

On motion of Senator Peirce, Senator Farquharson was excused.

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

The Secretary read:

### SENATE RESOLUTION.

By Senator Murphy (Kebel):

WHEREAS, The Government of the United States of America is spending large sums of money in this state under the Federal Emergency Relief Administration program and the State of Washington is also expending large amounts of money for the relief of unemployed under the W. E. R. A. program; and,

WHEREAS, Said state and Federal money is being expended under the control of the W. E. R. A., and particularly the director thereof, and its subordinates; and,

WHEREAS, The State of Washington, through its W. E. R. A., and particularly the director thereof, is responsible for the appointment of the personnel and activities of such W. E. R. A. program; and,

WHEREAS, Numerous, repeated and wide-spread charges have been made of the use of said state and Federal funds by the W. E. R. A., for political purposes and considerations, or personal purposes and considerations; and further charges that said body has made extravagant and numerous expenditures for the administrative personnel of said agency; and further charges that certain individuals are procuring the employment of friends, relatives and political followers at the expense and to the exclusion and detriment of bona fide unemployed and persons in actual need of such relief; and,

WHEREAS, The Director of Efficiency has, through his regular channels, conducted an examination and investigation of said W. E. R. A. within the past year; and,

WHEREAS, Said report of said Director of Efficiency has never been made public; and,

WHEREAS, Said charges, if true, constitute gross breaches of trust and justify immediate removal and punishment of the persons involved; and such charges, if untrue, constitute a blot upon the names and reputations of all persons involved therein, which injustice should be removed;

*Now, Therefore, be it Resolved*, By the Senate of the State of Washington that a committee be, and the same hereby is, created consisting of three members of the Senate to be appointed by the President of the Senate for the purpose of conducting a preliminary examination and investigation into the conduct and management of the W. E. R. A., up to date for the purpose of determining whether or not a major investigation into the conduct and affairs of the W. E. R. A., and particularly the director thereof, should be made, and be it further

*Resolved*, That said committee shall be authorized to hold sessions at the office of the W. E. R. A., and elsewhere, to subpoena and examine witnesses under oath, compel

the attendance of witnesses, administer oaths, compel the production of books and papers of persons connected with said board and/or such relief, and compel the Director of Efficiency to submit to said committee for investigation and examination all the reports, vouchers, books and papers and all other documents in his possession regarding the W. E. R. A., and be it further

*Resolved*, That said committee shall have the power to employ such stenographic reporters, clerks, investigators and accountants as they may consider necessary for the purposes of said investigation and that the pay of such stenographic reporters, clerks, investigators and accountants above mentioned, together with witness fees, and expense account of the committee, be paid out of the moneys already appropriated for the expenses of the Twenty-fourth Legislative Session of 1935 upon vouchers signed and approved by the President and Secretary of the Senate, and be it further

*Resolved*, That the said committee upon the completion of said preliminary examination and investigation make a written report thereof to the Legislature, together with its recommendation as to whether or not a major investigation and examination of said W. E. R. A., should be made.

Senator Murphy (Kebel) moved the adoption of the resolution.

Senator Reardon moved that this Senate resolution be made a special order of business tomorrow morning upon convening.

Senator Ryan (J. H.) moved that Rule No. 63 be suspended.

The motion carried.

Senators Ryan (J. H.), Malstrom, Morrow, Dailey, Scott, Peirce, Miller and Maxwell demanded a roll call on the motion of Senator Reardon.

The Secretary called the roll on the motion by Senator Reardon, and it lost by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Garrett, Knutzen, Lovejoy, McAulay, McMillan, Norman, Nugent, Orndorff, Reardon, Ronald, Smith and Steele—17.

Those voting nay were: Senators Dailey, Drumheller, Ferryman, Gannon, Keller, Kerstetter, Kyle, Malstrom, Maxwell, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thein, Thomas, Todd and Worum—27.

Absent or not voting: Senators Farquharson and Metcalf—2.

Senators Ryan (J. H.), Ryan (Scott M.), Dailey, Morrow, Maxwell, Nelson, Peirce and Thomas demanded a roll call on the motion by Senator Murphy (Kebel).

The Secretary called the roll on the adoption of the resolution and it was adopted by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd and Worum—44.

Absent or not voting: Senators Farquharson and Metcalf—2.

The President appointed Senator Murphy (Kebel) chairman, and Senators Stinson and Kyle as members of the committee under the Senate Resolution by Senator Murphy (Kebel).

The Secretary read:

**SENATE CONCURRENT RESOLUTION NO. 2.**

By Senator Reardon: Relating to appointment of a Committee to meet with the Governor and State Auditor for the purpose of discussing the simplification and strengthening of the State Auditing System.

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 and referred to the Committee on Claims and Auditing.

The Secretary read:

**SENATE JOINT MEMORIAL NO. 2.**

By Senator Ryan (Scott M.): Relating to National Pension System for the Aged.

On motion of Senator Morrow, the rules were suspended, the memorial 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 Memorial No. 2 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd and Worum—43.

Absent or not voting: Senators Farquharson, Maxwell and Metcalf—3.

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

On motion of Senator Morrow, the rules were suspended and the memorial was ordered immediately transmitted to the House.

The Secretary read:

**SENATE JOINT MEMORIAL NO. 3.**

By Senator Reardon: Relating to the Civilian Conservation Corps and the continuation thereof.

On motion of Senator Reardon the rules were suspended, the memorial 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 Memorial No. 3 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd and Worum—43.

Absent or not voting: Senators Farquharson, Maxwell and Metcalf—3.

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

On motion of Senator Peirce, the rules were suspended and the memorial was ordered immediately transmitted to the House.

The Secretary read:

**HOUSE JOINT MEMORIAL NO. 4.**

By Representatives Parker, McDonald (D. A.), Wanamaker, Hales and McCarty. Relating to manufacture of munitions.

On motion of Senator Kerstetter, the rules were suspended, the memorial 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 House Joint Memorial No. 4, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Drumbheller, Duggan, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd and Worum—40.

Those voting nay were: Senators Dawson and Smith—2.

Absent or not voting: Senators Farquharson, Ferryman, Maxwell and Metcalf—4.

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

On motion of Senator Kerstetter, the rules were suspended and the memorial was ordered immediately transmitted to the House.

**INTRODUCTION OF BILLS.**

**Senate Bill No. 9**, by Senator Mehner, entitled: "An Act relating to the payment of unpaid obligations of County Game Commissions from the State Game Fund and authorizing in proper cases payment thereof from said fund."

The bill was read the first time, and on motion of Senator Mehner, 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 Peirce, entitled: "An Act relating to elections, providing for electors of president and vice-president of the United States and the method of voting for the same, amending Section 17 of Chapter XIII (13) of the Laws of 1889-90, page 406, as amended by Chapter CVI (106) of the Laws of 1891, as amended by Section 4 of Chapter CLVI (156) of the Laws of 1895, and as amended by Chapter LXXXIX (89) of the Laws of 1901, and amending Section 4 of Chapter 58 of the Laws of 1913, page 180, and amending Section 7 of Chapter 58 of the Laws of 1913, page 182, as amended by Section 2 of Chapter 114 of the Laws of 1915, page 325, and as amended by Section 6 of Chapter 178 of the Laws of 1921, page 703, and amending Section 14 of Chapter 58 of the Laws of 1913, page 191, as amended by Section 8 of Chapter 114, of the Laws of 1915, page 332, and repealing Section 2 of Chapter CXVIII (148) of the Laws of 1891, page 364."

The bill was read the first time, and on motion of Senator Peirce 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. 11**, by Senator Gannon, entitled: "An Act relating to foreclosure of real estate mortgages, and amending Sections 1119, 1120 and 1123, Rem. Compiled Statutes of the State of Washington."

The bill was read the first time, and on motion of Senator Gannon 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. 12**, by Senator Ryan (J. H.), entitled: "An Act relating to cities of the first class, authorizing such cities owning and operating public utilities to deal with and to contract with employees of such utilities and their accredited representatives, concerning wages, hours and conditions of labor therein."

The bill was read the first time, and on motion of Senator Ryan (J. H.), 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.

At 12:45 o'clock p. m., on motion of Senator Peirce, the Senate recessed until 2:00 o'clock p. m.

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#### AFTERNOON SESSION.

The Senate was called to order at 2:00 o'clock p. m. by President Meyers. At 2:06 o'clock p. m., on motion of Senator Ronald, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## FIFTH DAY

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#### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Friday, January 18, 1935.

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

Reverend Samuel J. Chaney, of the First Methodist Episcopal Church of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senators Farquharson and Metcalf.

On motion of Senator Thomas, Senator Farquharson was excused.

On motion of Senator Ronald, Senator Metcalf was excused.

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

The Secretary read:

**SENATE JOINT RESOLUTION NO. 1.**

By Senator Reardon: Providing for an amendment to Section 1 of Article VII of the Constitution of the State of Washington, relating to taxation.

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. 2.**

By Senator Reardon: Providing for an amendment of Section 12 of Article XI of the Constitution of the State of Washington, relating to taxation.

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. 3.**

By Senator Todd: 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 Todd 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. 4.**

By Senator Todd: Relating to the submission of a constitutional amendment amending Sections 4 and 5 of Article XI of the Constitution of the State of Washington, relating to county government.

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

On motion of Senator Steele, Rule No. 63 was suspended and candy and cigars were passed out to the Senators with the compliments of the lady running the cafeteria.

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 17, 1935.

*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 unpaid expenses of the Twenty-third Legislature and the expenses of the Twenty-fourth 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-fourth Legislature and declaring an emergency."

Very truly yours,

RICHARD HAMILTON,  
*Secretary to the Governor.*

Senator Reardon moved that the message be spread on the journal.

The motion was carried.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 13**, by Senator Duggan, entitled: "An Act relating to sheriff's indemnity bonds and amending Section 4172, 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. 14**, by Senator Nugent, entitled: "An Act to provide an institution for the confinement, cure, care and rehabilitation of drug addicts and providing for the government, maintenance and control thereof, and providing for the admission and commitment of drug addicts thereto, and providing penalties for unlawfully conniving to have persons adjudged drug addicts, and providing penalties for procuring the escape or aiding or abetting the escape of inmates thereof and/or the harboring and concealing of escaped inmates thereof."

The bill was read the first time, and on motion of Senator Nugent 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. 15**, by Senator Miller, entitled: "An Act relating to the activities of associations, corporations and organizations with reference to sponsoring or opposing any political candidate, initiative, or referendum measure, or other political question or measure to be voted on by the voters of this state; and providing a penalty for the violation thereof."

The bill was read the first time, and on motion of Senator Miller 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. 16**, by Senator Todd, entitled: "An Act relating to motor fuels; declaring that the business of furnishing and distributing, or buying and selling, same is a public utility; providing for the supervision and regulation thereof, and the fixing of the rates or prices therefor, and the payment of fees thereby; providing penalties for the violation thereof; making an appropriation for the purposes hereof, 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 Public Utilities.

**Senate Bill No. 17**, by Senator Duggan, entitled: "An Act to adopt Remington's Revised Statutes of Washington as an official compilation of the laws of this state, and relating to additions and amendments thereto, and declaring that this act shall take effect immediately."

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. 18**, by Senator Miller, entitled: "An Act relating to taxation; imposing tax upon gross rentals from real property; providing for the assessment, collection and distribution thereof; and providing for the administration and enforcement of this Act."

The bill was read the first time, and on motion of Senator Miller 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. 19**, by Senator Ryan (J. H.), entitled: "An Act relating to the creation of a fund in Class A counties and counties of the first class for the payment of the salaries and wages of county officers and employees, and providing for the payment and transfer of money to and from said fund, and amending Section 1 of Chapter 14 of the Session Laws of the Extraordinary Session of 1933, and declaring an emergency."

The bill was read the first time, and on motion of Senator Ryan (J. H.) 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. 20**, by Senator Reardon, entitled: "An Act relating to and providing for the necessary surveys, construction and completion of State Highway No. 15, known as the Stevens Pass Highway, and declaring that this act shall take effect immediately."

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. 21**, by Senator Duggan, entitled: "An Act relating to the publication of legal and other official notices and fixing the fees therefor and amending Section 4 of Chapter 99 of the Laws of 1921."

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. 22**, by Senator Duggan, entitled: "An Act relating to the fees to be charged by the county auditors, and amending Section 4105, 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 Compensation and Fees for State and County Officers.

**Senate Bill No. 23**, by Senator Duggan, entitled: "An Act relating to the suspension of sentences upon conviction of a person of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, and amending Section 2280 of Remington's Compiled Statutes of the State of Washington."

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. 24**, by Senator Lovejoy, entitled: "An Act relating to and providing for the acquisition, construction, maintenance and operation of works for the collection, treatment, purification and disposal of sewage by cities, towns, counties, diking districts, drainage districts, drainage improvement districts, diking improvement districts, sewerage improvement districts, sanitary districts, and public utility districts; providing for the issuance and sale of revenue bonds to pay for the acquisition and construction of such works, which bonds shall be payable exclusively from the revenues derived from the operation of such works; providing for the establishment and collection of service rates and/or charges to pay for the cost and expense of acquiring, constructing, operating and maintaining such works; and providing for the use of such works by other cities, towns, counties or districts."

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.

At 10:35 o'clock a. m., on motion of Senator Lovejoy, the Senate recessed until 3:00 o'clock p. m.

#### AFTERNOON SESSION

The Senate was called to order at 3:02 o'clock p. m., by President Pro Tempore Peirce.

Senator Reardon moved that Initiative No. 5 be returned from the Committee on Fisheries and brought back to the Senate.

Senator Miller moved that Senator Reardon's motion be laid on the table. The motion carried.

Senator Malstrom moved that Senate Bill No. 14 be referred to the Committee on Medicine, Dentistry, Pure Food and Drugs instead of to the Committee on State Penal and Reformatory Institutions.

The motion carried.

The Senate recessed at 3:10 o'clock p. m., subject to the call of the Chair. The Senate was called to order at 4:45 o'clock p. m., by President Meyers. The Secretary read the following committee appointments:

#### SENATE COMMITTEE APPOINTMENTS.

*Aeronautics*—Todd, chairman; Lovejoy, Murphy (Kebel), Stinson, Nugent.

*Agriculture*—McMillan, chairman; Bengtson, Brunton, Drumheller, Knutzen, Murphy (Kebel), Peirce.

*Appropriations*—Ferryman, chairman; Brunton, Dawson, Drumheller, Gannon, Kerstetter, Lovejoy, Malstrom, Murphy (James A.), Nugent, Peirce, Ryan (Scott M.), Todd.

*Banks and Banking*—Gannon, chairman; Brunton, Drumheller, Duggan, Lovejoy, Malstrom, Roland, Shorett, Norman, Murfin.

*Cities of the First Class*—Roland, chairman; Duggan, Kerstetter, Murphy (James A.), Orndorff, Shorett, Thomas.

*Claims and Auditing*—Keller, chairman; Ferryman, Maxwell, Murphy (James A.), Miller.

*Commerce and Manufacturing*—Dawson, chairman; Drumheller, Morrow, Ryan (J. H.), Todd.

*Compensation and Fees for State and County Officers*—Miller, chairman; Dawson, Murphy (James A.), Nelson, Ronald, Steele, Ferryman.

*Constitutional Revision*—Duggan, chairman; Farquharson, Garrett, Kyle, Metcalf, Morrow, Peirce, Reardon, Roland, Steele, Thomas.

*Corporations*—Bengtson, chairman; Gannon, Miller, Murfin, Shorett.

*Counties and County Boundaries*—Keller, chairman; McAulay, Norman, Roland, Worum.

*Dairy and Livestock*—Ryan (Scott M.), chairman; Barnes, Knutzen, Kyle, McMillan, Murphy (Kebel), Thein.

*Education*—Farquharson, chairman; Malstrom, Metcalf, Nugent, Tewksbury, Todd, Bengtson.

*Educational Institutions*—Shorett, chairman; Farquharson, Gannon, Kyle, Malstrom, Murfin, Reardon, Ronald, Ryan (Scott M.), Todd, Worum, Brunton.

*Elections and Privileges*—Kyle, chairman; Drumheller, Duggan, Keller, Maxwell, Morrow, Murphy (James A.), Nelson, Reardon.

*Engrossed Bills*—Murfin, chairman; Mehner, Dawson, Morrow, Thein.

*Enrolled Bills*—Orndorff, chairman; McMillan, Knutzen, Nelson, Garrett.

*Federal Relations and Immigration*—Norman, chairman; Dawson, Ferryman, Garrett, Malstrom, Thein, Kerstetter.

*Financial Institutions Other Than Banks*—Todd, chairman; Dailey, Knutzen, Lovejoy, Mehner, Miller, Thein, Thomas, Bengtson.

*Fisheries*—Tewksbury, chairman; Dailey, Lovejoy, Mehner, Nelson, Norman, Nugent, Ryan (J. H.), Ryan (Scott M.).

*Flood Control*—Maxwell, chairman; Barnes, Garrett, Knutzen, Kyle, Reardon, Tewksbury, Thein, Ronald, McAulay.

*Forestry and Logged Off Lands*—Barnes, chairman; Bengtson, Maxwell, Reardon, Ryan (Scott M.), Thein, McMillan.

*Game and Game Fish*—McAulay, chairman; Duggan, Gannon, Maxwell, McMillan, Nugent, Smith, Tewksbury, Thein.

*Harbors and Waterways*—Kerstetter, chairman; Metcalf, Steele, Tewksbury, Thomas.

*Horticulture*—Smith, chairman; Drumheller, Ferryman, Peirce, Stinson.

*Industrial Insurance*—Morrow, chairman; Barnes, Dawson, Kerstetter, Kyle, McMillan, Mehner, Nugent, Murphy (Kebel).

*Insurance*—Garrett, chairman; Brunton, Duggan, Lovejoy, Orndorff, Shorett, Stinson, Thomas.

*Judiciary*—Steele, chairman; Duggan, Kyle, McAulay, Metcalf, Murfin, Murphy (James A.), Peirce, Shorett, Stinson, Todd, Brunton, Worum.

*Labor and Labor Statistics*—Ryan (J. H.), chairman; Morrow, Thomas, Knutzen, Gannon.

*Legislative Apportionment*—Worum, chairman; Bengtson, Garrett, McAulay, Peirce, Ryan (J. H.), Dawson, Ronald, Kerstetter.

*Liquor Control*—Lovejoy, chairman; Ryan (J. H.), Roland, Tewksbury, Kerstetter, Keller, Drumheller, Nugent, Thein, Orndorff, Mehner, Garrett, Smith, Todd, Steele.

*Medicine, Dentistry, Pure Food and Drugs*—Nugent, chairman; Kerstetter, Maxwell, Miller, Nelson, Thomas, Smith.

*Memorials*—Metcalf, chairman; Maxwell, Ryan (Scott M.).

*Military*—Brunton, chairman; Gannon, Garrett, Orndorff, Ryan (Scott M.), Shorett, Nelson.

*Mines and Mining*—Drumheller, chairman; Dailey, Garrett, Orndorff, Ronald, Smith, Ryan (Scott M.).

*Municipal Corporations Other Than First Class*—Maxwell, chairman; Barnes, Ferryman, Norman, Keller, Mehner.

*Parks and Playgrounds*—Thomas, chairman; Dailey, Farquharson, Nelson, Stinson, Todd, Gannon, McAulay.

*Printing*—Murfin, chairman; Murphy (James A.), Ryan (J. H.), Norman, Garrett.

*Public Buildings and Grounds*—Nelson, chairman; Barnes, Lovejoy, Mehner, Nugent, Steele.

*Public Morals*—Orndorff, chairman; Malstrom, Norman, Tewksbury, Miller, Drumheller, Murphy (James A.).

*Public Utilities*—Peirce, chairman; McAulay, Metcalf, Morrow, Murphy (Kebel), Roland, Ryan (J. H.), Thomas, Worum.

*Public Welfare and Unemployment Relief*—Murphy (James A.), chairman; Barnes, Dailey, Farquharson, Keller, Orndorff, Peirce, Reardon, Ryan (J. H.), Thein, Thomas, Malstrom, Ryan (Scott M.).

*Railroads and Transportation*—Stinson, chairman; Dawson, Garrett, Keller, McAulay, McMillan, Murphy (Kebel), Nelson, Roland.

*Reclamation and Irrigation*—Knutzen, chairman; Ferryman, McAulay, Ronald, Smith, Stinson, Worum.

*Revenue and Taxation*—Mehner, chairman; Barnes, Dailey, Farquharson, Knutzen, Kyle, Metcalf, Morrow, Orndorff, Reardon, Ryan (J. H.), Shorett, Steele, Tewksbury, Thomas, Duggan, Murfin.

*Roads and Bridges*—Ronald, chairman; Bengtson, Ferryman, Gannon, Garrett, Keller, Maxwell, McAulay, McMillan, Miller, Murphy (Kebel), Nelson, Norman, Roland, Smith, Stinson, Thein, Worum.

*Rules and Joint Rules*—Drumheller, Lovejoy, Steele, Smith, Ronald, Malstrom, Miller, Reardon, Peirce.

*Rural Credits and Agricultural Development*—Worum, chairman; Ferryman, Metcalf, Peirce, Smith, Bengtson, Gannon, Knutzen, McAulay.

*Senate Employees*—Murphy (Kebel), chairman; Ryan (J. H.), Roland.

*State Charitable Institutions*—Dailey, chairman; Farquharson, Kerstetter, Murphy (James A.), Nelson, Orndorff, Tewksbury.

*State Granted, School and Tide Lands*—Thein, chairman; Mehner, Dailey, McAulay, Miller, Barnes, Bengtson.

*State Library*—Malstrom, chairman; Brunton, Farquharson, Ronald, McMillan.

*State Penal and Reformatory Institutions*—Reardon, chairman; Duggan, Keller, Murfin, Murphy (Kebel), Nugent, Ryan (Scott M.).

Senator Reardon gave notice that at the proper time he would move to amend the Senate rules.

Senator Peirce moved that the Senate recess until 7:30 o'clock p. m.

The motion lost.

Senator Ronald moved that the Senate send floral wreaths to Senators Metcalf and Farquharson.

The motion carried.

Senator Maxwell moved that the Senate adjourn until 1:00 o'clock p. m., Monday.

Senator Peirce moved that the motion for adjournment be laid on the table.

The motion carried.

Senator Peirce moved that the Senate recess until 8:00 o'clock p. m.

The motion lost.

At 5:25 o'clock p. m., on motion of Senator Maxwell the Senate adjourned until 1:00 o'clock p. m. on Monday.

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

HARRISON W. MASON, *Secretary of the Senate.*

## EIGHTH DAY

### AFTERNOON SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Monday, January 21, 1935.

The Senate was called to order at 1:30 o'clock p. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend L. Wendell Taylor, of the United Churches of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senator Murphy (Kebel).

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

The Secretary read:

#### COMMUNICATION.

SEATTLE PUBLIC SCHOOLS,  
ALEXANDER HAMILTON JUNIOR HIGH SCHOOL,  
SEATTLE, WASHINGTON, January 16, 1935.

MR. HARRISON W. MASON, *Secretary of the Senate*,  
Olympia, Washington.

DEAR MR. MASON:

To afford representatives of the Civics classes of Alexander Hamilton Junior High School an opportunity to see the State Legislature in session, we should like to arrange a visit to the Senate on Thursday, January 24th, for forty students who will be accompanied by two teachers. Twenty students will be in attendance at the morning session and twenty at the afternoon session. We would appreciate having seats in Members' Gallery reserved for these students.

If there is any possibility that the Senate will not be in regular session on this date, will you please indicate a time more favorable for such a visit?

An envelope is enclosed for an early reply. Thank you for this favor.

Yours truly,

INEZ H. PETERSON.

On motion of Senator Lovejoy, the Secretary was authorized to answer the request from the Alexander Hamilton Junior High School.

The Secretary read:

#### SENATE RESOLUTION.

By Senator Peirce:

WHEREAS, on the 14th day of January, 1935, the Secretary of State, Ernest N. Hutchinson, submitted to the Senate the message relating to Initiative No. 5, and

WHEREAS, by said message it is apparent that the required number of certified signatures were not on said Initiative Measure No. 5, and

WHEREAS, the Constitution and Laws of the State of Washington provide that when any Initiative to the Legislature has been filed with the Secretary of State not less than ten days before the convening of the Legislature, the Secretary of State shall examine said petitions and certify said Initiative to the Legislature if said petitions contain fifty thousand or more certified signatures, and

WHEREAS, said report of the Secretary of State regarding said Initiative together with certified copy of Initiative Measure have erroneously been ordered spread upon the Journal of the Senate, and Initiative Measure No. 5 referred to the Committee on Fisheries, and

WHEREAS, said Initiative Measure should not have been certified to the Legislature without the required number of signatures,

*Now, Therefore, be it Resolved*, by the Senate, that the said message of the Secretary of State, together with the certified copy of said Initiative Measure No. 5, be and the same hereby is expunged from the Journal of the Senate; and that the said message and certified copy of said Initiative Measure No. 5 be forthwith returned to the Secretary of State without other or further action by the Senate.

Senator Peirce moved the adoption of the Senate Resolution relative to Initiative No. 5.

Senator Steele moved that the resolution be referred to the Committee on Judiciary.

Senator Maxwell moved that the motion of Senator Steele be laid on the table and not take the resolution with it.

Senator Duggan moved that the resolution by Senator Peirce be laid on the table.

The motion was lost.

Senators Duggan, Maxwell, Peirce, Ryan (J. H.), Morrow, Nugent, Gannon and Worum demanded a roll call on the motion of Senator Maxwell to lay Senator Steele's motion on the table.

The Secretary called the roll on the motion by Senator Maxwell that the motion by Senator Steele be laid on the table without taking the resolution with it, and it carried by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, Maxwell, McMillan, Mehner, Murphy (James A.), Nelson, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thein, Thomas, Worum—25.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Knutzen, Lovejoy, McAulay, Miller, Morrow, Murfin, Norman, Nugent, Orndorff, Ronald, Shorett, Smith, Steele, Stinson—18.

Absent or not voting: Senators Metcalf, Murphy (Kebel), Todd—3.

Senators Maxwell, Peirce and Kyle demanded the previous question.

The previous question was ordered.

Senators Peirce, Maxwell, Norman, Miller, Shorett, Murphy (James A.), Nelson, and Tewksbury demanded a roll call on the motion by Senator Peirce that the Senate Resolution be adopted.

The Secretary called the roll on the motion by Senator Peirce for the adoption of the Senate resolution and it was adopted by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murphy (James A.), Nelson, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas and Worum—33.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Knutzen, Lovejoy, Murfin, Norman, Nugent, Smith—10.

Absent or not voting: Senators Metcalf, Murphy (Kebel), Todd—3.

Senator Norman made the following statement:

Under authority of Rule 51 of the Senate Rules, I hereby protest against the action of the Senate in passing the Senate Resolution by Senator Peirce for the reason that such action is not legal as shown by the following communication from the Attorney General's office:

"January 21, 1935.

HONORABLE FRED NORMAN,  
Senate Chamber, Olympia, Washington.

MY DEAR SENATOR:

"We have your letter of January 21, 1935, as follows:

"Is Initiative No. 5, now in the Senate Fisheries Committee, legally and irrevocably before the Senate by virtue of the attached communication from the Secretary of State and the Senate action thereon, and must the Senate consider it as required by law?"

"Article II, Section 1, subdivision (a) of the Constitution of the state as amended requires the Secretary of State to transmit such petitions to the Legislature as soon as it convenes and organizes. This the Secretary of State did.

"Section 1, Chapter 144 of the Laws of 1933, requires that the Secretary count the names of legal voters (only those from rural precincts being required to be certified) and reject names signed to more than one petition. This the Secretary of State did, for his message shows a canvass and count of 90,101 signatures.

"Because the section referred to requires the secretary to certify the facts relating to the canvass he has given certain additional information on which we do not comment except to say that it does not invalidate either the petitions or the manner in which they were transmitted.

"The initiative measure is properly before the Legislature for such consideration and action (other than a return thereof to the Secretary of State), as it may see fit to take.

Yours very truly,

E. P. DONNELLY,

Assistant Attorney General."

The Secretary read:

#### SENATE RESOLUTION.

By Senators Malstrom and Gannon:

WHEREAS, a large portion of the time of the Legislative sessions is given to the discussion of the programs of road and bridge building, and the construction of public buildings, and

WHEREAS, the cost of these construction projects consists largely of materials, and

WHEREAS, cement is one of the major materials used, and

WHEREAS, there are varying opinions regarding the fair and equitable cost of said cement used in these state projects, and

WHEREAS, it is the desire of this Senate to give to the taxpayers of the State of Washington a true picture of the conditions as they exist, now therefore

*Be it Resolved*, That the Committee on Public Utilities be, and the same hereby is authorized, empowered and directed to investigate the source and control of supply, the cost and control of production and distribution of all cement used in public projects of the State of Washington, and

*Be It Further Resolved*, That said Public Utilities Committee shall return the report of its findings to this Senate not later than the twentieth (20th) day after the passage of this resolution.

Senator Malstrom moved the adoption of the Senate resolution.

Senator Maxwell moved that the Senate resolution be amended as follows:

"That the resolution be amended by substituting the Committee on Commerce and Manufacturing for the Committee on Public Utilities."

Senator Morrow moved that the amendment be laid on the table without carrying the resolution with it.

The motion was carried.

The motion of Senator Malstrom was carried, and the resolution adopted. Senator Malstrom asked to be excused from the Senate for one hour, and the request was granted.

The Secretary read:

**Senate Joint Memorial No. 4**, by Senator Ryan (Scott M.): Relating to the Townsend Old Age Revolving Pension Plan.

The memorial was read the first time, and on motion of Senator Ryan (Scott M.) the rules were suspended, and the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials.

The Secretary read:

**RESOLUTION TO AMEND RULE 6.**

By Senator Reardon:

*Be it Resolved*, by the Senate, that Rule 6 of the Senate Rules of 1933 as adopted by this Senate be, and the same hereby is amended to read as follows:

"Rule 6. The President shall appoint all special, joint 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 nine (9) Senators, five of whom shall be from Western Washington, and four (4) from Eastern Washington, of which the President shall be chairman: *And provided further*, That the appointment of said standing committees shall be subject 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.

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

The following standing committees shall constitute the standing committees of the Senate:

<i>Committee</i>	<i>No. of Members</i>
1 Aeronautics .....	5
2 Agriculture .....	7
3 Appropriations .....	13
4 Banks and Banking.....	10
5 Cities of the First Class.....	7
6 Claims and Auditing.....	5
7 Commerce and Manufacturing.....	5
8 Compensation and Fees for State and County Officers....	7
9 Constitutional Revision.....	10
10 Corporations Other Than Municipal.....	5
11 Counties and County Boundaries.....	5
12 Dairy and Livestock.....	7
13 Education .....	7
14 Educational Institutions.....	12
15 Elections and Privileges.....	8
16 Engrossed Bills.....	5
17 Enrolled Bills.....	5
18 Federal Relations and Immigration.....	7
19 Financial Institutions Other Than Banks.....	9
20 Fisheries .....	9
21 Flood Control.....	10
22 Forestry and Logged Off Lands.....	7
23 Game and Game Fish.....	9
24 Harbors and Waterways.....	5
25 Horticulture .....	5
26 Industrial Insurance.....	9
27 Insurance .....	8
28 Judiciary .....	13
29 Labor and Labor Statistics.....	5

<i>Committee</i>	<i>No. of Members</i>
30 Legislative Apportionment.....	9
31 Liquor Control.....	15
32 Medicine, Dentistry, Pure Food and Drugs.....	7
33 Memorials .....	3
34 Military .....	7
35 Mines and Mining.....	7
36 Municipal Corporations Other Than First Class.....	7
37 Parks and Playgrounds.....	8
38 Printing .....	5
39 Public Buildings and Grounds.....	5
40 Public Morals.....	7
41 Public Utilities.....	9
42 Railroads and Transportation.....	9
43 Reclamation and Irrigation.....	7
44 Revenue and Taxation.....	17
45 Roads and Bridges.....	18
46 Rules and Joint Rules.....	9
47 Rural Credits and Agricultural Development.....	9
48 Senate Employees.....	3
49 State Charitable Institutions.....	7
50 State Granted, School and Tide Lands.....	7
51 State Library.....	5
52 State Penal and Reformatory Institutions.....	7
53 <i>Public Welfare and Unemployment Relief</i> .....	13

Senator Reardon moved the adoption of the resolution to amend Rule 6. Senator Reardon moved that "Reclamation and Irrigation" be changed to "Reclamation and Irrigation, Dikes, Drains and Ditches."

The motion was carried.

On motion of Senator Murphy (James A.), the number of members on the Constitutional Revision Committee was changed from 10 to 11 members.

The resolution of Senator Reardon was adopted.

The President announced the following changes in the committee assignments:

*Compensation and Fees for State and County Officers*—Senator Bengtson in place of Senator Dawson.

*Education*—Senator Orndorff in place of Senator Todd.

*Harbors and Waterways*—Senator Dawson in place of Senator Metcalf.

*Municipal Corporations Other Than First Class*—Additional name of Senator Kyle.

*Public Buildings and Grounds*—Elimination of Senator Barnes.

*Federal Relations and Immigration*—Senator Metcalf will replace Senator Dawson.

*Public Utilities*—Additional name of Senator McMillan.

On motion of Senator Dailey, Rule No. 63 was suspended.

On motion of Senator Peirce, the committee appointments were confirmed by the Senate.

Senator Reardon moved that the President be complimented on his fortitude and manner in which he made the committee appointments.

The motion was carried.

#### SPECIAL ORDER.

The President announced that the time for special order of business having arrived, the Senate would proceed to consider Senate Concurrent Resolution No. 1 which was a special order for this time.

Senator Peirce moved that Senate Concurrent Resolution No. 1 be adopted.

Senator Ryan (J. H.) moved that the Senate Concurrent Resolution No. 1 be amended by changing the hour of closing from 12:00 noon until 1:00 o'clock p. m.

Senator Tewksbury moved that Senate Concurrent Resolution No. 1 be amended by changing the convening time of the committees from 1:30 o'clock p. m. to 2:00 o'clock p. m.

Senator Morrow moved that Senate Concurrent Resolution No. 1 with Senator Ryan's (J. H.) amendment be laid on the table.

Senators Ryan (J. H.), Ryan (Scott M.), Kyle, Kerstetter, McAulay, Worum, Peirce and Keller demanded a roll call on Senator Morrow's motion, to lay Senate Concurrent Resolution No. 1 on the table and it lost by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Gannon, Garrett, Knutzen, Lovejoy, Maxwell, Miller, Morrow, Nelson, Norman, Nugent, Ronald, Smith, Steele, Stinson, Thein, Worum—20.

Those voting nay were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Keller, Kerstetter, Kyle, McAulay, McMillan, Mehner, Murfin, Murphy (James A.), Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—22.

Absent or not voting: Senators Malstrom, Metcalf, Murphy (Kebel), Todd—4.

Senators Peirce, Kyle and Nugent demanded the previous question.

The previous question was ordered.

The motion of Senator Tewksbury to change the convening time of the committees from 1:30 o'clock p. m. to 2:00 o'clock p. m. was carried.

Senators Peirce, Nugent, Ronald, Reardon, Tewksbury, Kerstetter, Kyle and Ryan (Scott M.) demanded a roll call on the motion of Senator Peirce for the adoption of Senate Concurrent Resolution No. 1 as amended and it carried by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Garrett, Keller, Kerstetter, Kyle, Lovejoy, McAulay, McMillan, Mehner, Murfin, Murphy (James A.), Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thomas—24.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Ferryman, Gannon, Knutzen, Maxwell, Miller, Morrow, Nelson, Norman, Nugent, Ronald, Smith, Stinson, Thein, Worum—18.

Absent or not voting: Senators Malstrom, Metcalf, Murphy (Kebel), Todd—4.

Senator Peirce moved that the resolution be engrossed and immediately transmitted to the House.

The motion was carried.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 21, 1935.

*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 Legislature of the 1933 Extraordinary Session:

#### THE STATE TAX COMMISSION.

H. H. HENNEFORD, Spokane, appointed April 13, 1934, effective April 16, 1934, for the term ending January 31, 1937, succeeding S. H. Chase, resigned.

## BOARD OF REGENTS OF THE UNIVERSITY OF WASHINGTON.

EDWARD P. RYAN, Spokane, appointed July 9, 1934, effective July 9, 1934, for the term ending the second Monday in March, 1940, succeeding himself, term expired.

ROBERT MONTGOMERY, Puyallup, appointed July 9, 1934, effective July 9, 1934, for the term ending the second Monday in March, 1940, succeeding himself, term expired.

THOMAS BALMER, Seattle, appointed October 3, 1934, effective October 3, 1934, for the term ending the second Monday in March, 1935, succeeding Lewis B. Schwellenbach, resigned.

## BOARD OF TRUSTEES OF STATE NORMAL SCHOOL AT ELLENSBURG.

V. J. BOULLON, Ellensburg, appointed July 9, 1934, effective July 9, 1934, for the term ending June 26, 1940, succeeding himself, term expired.

## BOARD OF TRUSTEES OF STATE NORMAL SCHOOL AT CHENEY.

RICHARD S. MUNTER, Spokane, appointed July 9, 1934, effective July 9, 1934, for the term ending July 26, 1940, succeeding himself, term expired.

Respectfully submitted,

CLARENCE D. MARTIN,  
Governor.

Senator Reardon moved that the confirmation of the Governor's appointments be made a special order of business tomorrow morning at 10:30 o'clock a. m.

The motion carried.

The Secretary read:

## MESSAGES FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 16, 1935.

*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, 1935, to March 31, 1937, 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.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 16, 1935.

*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, 1935, to March 31, 1937, together with letter of transmittal from the Department of Efficiency, and other information and data.

Respectfully submitted,

CLARENCE D. MARTIN,  
Governor.

On motion of Senator Reardon, it was ordered that the Governor's budget be referred to the Committee on Rules and Joint Rules for segregation of the recommendations and then referred to the proper committees.

The Secretary read:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 21, 1935.

*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, conditional pardons and executive paroles granted since the date of the report to the Legislature of the 1933 Extraordinary Session:

**PARDONS—PENITENTIARY.**

CHARLES ERNEST AMMANN—Sentenced May 6, 1932, from Thurston county, for the term of one to three years in the Penitentiary, for the crime of grand larceny. Pardon granted February 7, 1934, on the recommendation of the Prosecuting Attorney and the Sentencing Judge.

**PARDONS—REFORMATORY.**

GEORGE IVAN JAMES BEECROFT—Sentenced December 14, 1933, from Skagit county, to a term of not less than one-half year and not more than five years, in the State Reformatory, for the crime of bigamy. Pardon granted March 16, 1934, on the recommendation of Sentencing Judge Edwin Gruber, the Superintendent of the State Reformatory, and numerous citizens.

BERNARD ERIC STAIN—Sentenced November 15, 1926, from Whatcom county, to a term of not less than one year nor more than fifteen years in the State Reformatory for the crime of burglary in the second degree. Paroled on September 27, 1927. Pardon granted November 19, 1934, on the recommendation of the Chief of Parole Officers of the State of Washington, and numerous citizens of the State of Oregon.

**PARDONS—COUNTY JAIL.**

CHARLES F. HAFER—Sentenced May 10, 1933, from Spokane county, for the term of four months, with two months suspended in the Spokane County Jail, for the crime of contempt of court. Pardon granted January 6, 1934, on the recommendation of James Cannon and other citizens of Spokane county and concurred in by Judge Leavy and Judge Webster.

**REPRIEVES—PENITENTIARY.**

BYRON MILLER—Sentenced June 9, 1934, from Yakima county, to be executed on July 20, 1934, for the crime of murder in the first degree. Thirty (30) day reprieve granted on July 18, 1934, beginning July 20, to permit investigation of the mental competency of said Byron Miller.

**CONDITIONAL PARDONS—PENITENTIARY.**

CHARLES E. WALTERS—Sentenced June 19, 1933, from King county, to serve not less than two and one-half years nor more than fifteen years in the State Penitentiary, for the crime of grand larceny. Conditional Pardon granted on March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOHN HELMER—Sentenced November 5, 1930, Remit. date March 15, 1932, from King county, to serve not less than three years nor more than ten years in the State Penitentiary, for the crime of unlawful possession of narcotic drugs. Conditional Pardon granted on March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

CORWIN A. NEWELL—Sentenced March 29, 1932, from King county, to serve not less than three years nor more than twenty years in the State Penitentiary, for the crime of forgery in the first degree. Conditional Pardon granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

FRANK PARRISH—Sentenced September 16, 1919, from Spokane county, to serve a term of life in the State Penitentiary, for the crime of murder in the first degree. Conditional Pardon granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**ROY SMITH**—Sentenced April 7, 1914, from Pierce county, to serve a term of life in the State Penitentiary, for the crime of murder in the first degree. Conditional Pardon granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**L. H. FOWLER**—Sentenced April 19, 1928, from Thurston county, to serve not less than ten years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Conditional Pardon granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Sentencing Judge and the Penitentiary Parole Board.

**LAWRENCE ROBERTS**—Sentenced August 30, 1932, from King county, to serve not less than three years nor more than five years in the State Penitentiary, for the crime of Second Degree Burglary. Conditional Pardon granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HENRY S. CALLISON**—Sentenced May 4, 1933, from King county, to serve not less than one and a half years nor more than two years in the State Penitentiary, for the crime of grand larceny. Conditional Pardon granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**C. R. WALDEN**—Sentenced June 16, 1933, from King county, to serve not less than one year nor more than five years and not less than one year nor more than five years concurrently, for the crimes of grand larceny and taking a motor vehicle without permission of the owner. Conditional Pardon granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JULIA WALLEN**—Sentenced June 10, 1933, from Skagit county, to serve not less than one year nor more than two years in the State Penitentiary, for the crime of grand larceny. Conditional Pardon granted March 12, 1934, on the recommendation of the Prosecuting Attorney, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CLARENCE WALDREP**—Sentenced August 23, 1933, from Thurston county, to serve not less than three years nor more than fifteen years in the State Penitentiary, for the crime of burglary in the second degree. Conditional Pardon granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**LEONIDAS F. MOYER**—Sentenced September 30, 1933, from Mason county, to serve not less than three years nor more than fifteen years in the State Penitentiary for the crime of grand larceny. Conditional Pardon granted March 12, 1934, on the recommendation of the Sentencing Judge, the Prosecuting Attorney, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

#### EXECUTIVE PAROLES—PENITENTIARY.

**CLAUD A. LABBEE**—Sentenced May 7, 1923, from Yakima county, to serve not less than twenty-five years nor more than forty years in the State Penitentiary, for the crime of second degree murder. Executive Parole granted December 29, 1933, upon the recommendation of the Prosecuting Attorney of Yakima county, the Sheriff and deputies of Yakima county and the Superintendent of the Penitentiary.

**STEPHEN COUCHER**—Sentenced January 20, 1928, from Spokane county, to serve not less than ten years nor more than twenty years, in the State Penitentiary for the crime of highway robbery. Executive Parole granted January 8, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JOHN BLIGHT**—Sentenced January 30, 1928, remitted to April 2, 1929, from King county, to serve not less than ten years, nor more than fourteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted January 8, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HENRY JAMES BALCOM**—Sentenced February 28, 1930, from King county, to serve not less than five years nor more than fifteen years in the State Penitentiary for the crime of robbery. Executive Parole granted January 8, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**WILLIS WEST**—Sentenced January 30, 1928, from King county, to serve a term of not less than ten years nor more than fifteen years in the State Penitentiary for the crime of robbery. Executive Parole granted January 8, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board and Bank Officials.

**EUGENE MORANO**—Sentenced March 27, 1933, from Pierce county, to serve not less than one and a half years nor more than three years in the State Penitentiary, for the crime of second degree assault. Executive Parole granted March 12, 1934, on the recommendation of the Sentencing Judge, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HARRY L. STOVER**—Sentenced March 9, 1933, from Whatcom county, to serve not less than two years nor more than twenty years in the State Penitentiary, for the crime of first degree forgery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**ELMER HIMES**—Sentenced February 24, 1933, from Spokane county, to serve not less than five years nor more than five years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**ERMA DAMRELL**—Sentenced February 21, 1933, from Thurston county, to serve not less than three years nor more than fifteen years in the State Penitentiary, for the crime of burglary in the second degree. Executive Parole granted March 12, 1934, on the recommendation of the Sheriff of Thurston county, the Prosecuting Attorney, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HENRY SIEBOLD**—Sentenced February 21, 1933, from King county, to serve not less than two years nor more than five years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Prosecuting Witness, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**J. DAMRELL**—Sentenced February 21, 1933, from Thurston county, to serve not less than three years nor more than fifteen years in the State Penitentiary for the crime of burglary in the second degree. Executive Parole granted March 12, 1934, on the recommendation of the Sheriff of Thurston county, the Prosecuting Attorney, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**DONALD MEYER**—Sentenced February 18, 1933, from King county, to serve not less than one and a half years nor more than two years in the State Penitentiary, for the crime of attempt grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**LELAND HARRISON**—Sentenced January 17, 1933, from Douglas county, to serve not less than two years nor more than three years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted March 12, 1934, on the recommendation of the Sheriff of Douglas county, the Prosecuting Attorney, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JACK WHITELEY**—Sentenced October 15, 1932, from Pierce county, to serve not less than two years nor more than three years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**KENNETH SPEAR**—Sentenced September 13, 1932, from King county, to serve not less than two years nor more than fifteen years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**GEORGE MORRIS**—Sentenced August 18, 1932, from Thurston county, to serve not less than two years nor more than fifteen years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HARRY OSTROM**—Sentenced August 2, 1932, from King county, to serve not less than two years nor more than five years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CHARLES CONNELL**—Sentenced July 18, 1932, from Whatcom county, to serve not less than two years nor more than fifteen years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HARRY PAXON**—Sentenced June 14, 1932, from King county, to serve not less than five years nor more than six years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Deputy Prosecuting Attorney, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JAMES A. SAYAN**—Sentenced June 14, 1932, from King county, to serve not less than five years nor more than six years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Sentencing Judge, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**STANLEY PREACH**—Sentenced May 26, 1930, from King county, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CONSTANCE WINTERS**—Sentenced April 13, 1932, from Pierce county, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JOHN MURRAY**—Sentenced January 26, 1932, from King county, to serve not less than five years nor more than ten years in the State Penitentiary for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**OSCAR PETERSON**—Sentenced January 12, 1931, from King county, Remit. date October 31, 1931, to serve not less than five years nor more than six years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**H. S. KIMMEL**—Sentenced October 31, 1931, from King county, to serve not less than three years nor more than five years in the State Penitentiary, for the crime of forgery in the first degree. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CHESTER JULIAN**—Sentenced August 19, 1931, from Spokane county, to serve not less than five years nor more than twenty years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**FRANK BARRETT**—Sentenced August 19, 1931, from Spokane county, to serve not less than five years nor more than twenty years in the State Penitentiary for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JOHN LEACH**—Sentenced August 13, 1931, from Snohomish county to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HERBERT LEISHMAN**—Sentenced August 13, 1931, from Snohomish county, to serve not less than five years nor more than seven and a half years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CLEAVE MICHELSON**—Sentenced August 13, 1931, from Snohomish county, to serve not less than five years nor more than seven and a half years in the State Penitentiary, for the crime of Robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**SIDNEY MORTON**—Sentenced July 30, 1931, from Spokane county, to serve not less than five years nor more than twenty years in the State Penitentiary, for the crime of forgery in the first degree. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**ARMAND DABNEY**—Sentenced July 31, 1931, from King county, to serve not less than five years nor more than twenty years in the State Penitentiary, for the crime of attempted robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HELMAR HELGERSON**—Sentenced June 19, 1931, from King county, to serve not less than five years nor more than six years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**MARVIN J. SHANAFELT**—Sentenced June 17, 1931, from Grays Harbor county, to serve not less than five years nor more than five and a half years in the State Penitentiary, for the crime of abduction. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JOHN O'LEARY**—Sentenced June 9, 1931, from King county, to serve not less than three years nor more than five years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HAROLD KIRBY**—Sentenced April 24, 1931, from Spokane county, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of sodomy. Executive Parole granted March 12, 1934, on the recommendation of the Sentencing Judge, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JOHN CATHER**—Sentenced March 19, 1931, from King county, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**WILLIAM WHEELER**—Sentenced March 23, 1931, from King county, to serve not less than four years nor more than fifteen years in the State Penitentiary, for the crime of burglary in the second degree. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CLIFF PARISH**—Sentenced January 31, 1931, from King county, to serve not less than six years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JAMES MCLEAN**—Sentenced January 28, 1931, from Skagit county, to serve a term of not less than five years nor more than six years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Prosecuting Witness, the Chief of Police, the Prosecuting Attorney, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HENRY RULE**—Sentenced October 11, 1930, from Chelan county, to serve not less than five years nor more than eight years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**ADOLPH MILLER**—Sentenced May 29, 1930, from Spokane county, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**RAYMOND PERRY**—Sentenced April 12, 1930, from Chelan county, to serve not less than five years nor more than eight years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JOSEPH DUFFY**—Sentenced February 3, 1930, from Kitsap county, to serve not less than five years nor more than ten years and not less than five years nor more than ten years, to run concurrently, in the State Penitentiary, for the crimes of burglary in the

second degree and grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Sheriff of Kitsap county, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

C. RANDALL BUBB—Sentenced November 30, 1929, from King county, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Prosecuting Attorney, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

CHARLES ROSSART—Sentenced February 7, 1929, from Snohomish county, to serve not less than seven and a half years and not more than fifteen years in the State Penitentiary, for the crime of carnal knowledge of a female child. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

R. F. BIGELOW—Sentenced February 26, 1929, from Whitman county, to serve not less than three years nor more than fifteen years, and not less than four years nor more than ten years on three counts consecutively of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

WILLIAM VAN HOUTEN—Sentenced January 11, 1929, from King county, to serve not less than ten years nor more than twenty years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

A. C. MCCABE—Sentenced March 24, 1928, from King county, to serve not less than nine years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

ROBERT DARLING—Sentenced April 24, 1928, from Spokane county, to serve not less than ten years nor more than twenty years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

ALVAH R. KILBOURN—Sentenced March 19, 1926, from King county, to serve not less than twenty-six years nor more than thirty-six years in the State Penitentiary, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

ISADORE R. EDELSTEIN—Sentenced April 25, 1927, from Spokane county, to serve not less than life nor more than life in the State Penitentiary, for the crime of habitual criminal. Executive Parole granted April 3, 1934, on the recommendation of the Sentencing Judge, the Principal Identifying Witness, the Superintendent of the Penitentiary and the Penitentiary Parole Board.

E. B. RICK—Sentenced March 13, 1934, from Clallam county, to serve not less than one year and not more than four years in the State Penitentiary, for the crime of larceny by embezzlement. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Sentencing Judge and the Prosecuting Attorney.

CHARLES PIERSON—Sentenced June 25, 1932, from Whatcom county, to serve not less than two and a half years nor more than ten years, and not less than two and a half years nor more than ten years, concurrently, in the State Penitentiary, for the crimes of attempted rape and assault, second degree. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Prosecuting Attorney.

JOHN F. DAVIS—Sentenced December 4, 1933, from Kittitas county, to serve not less than one year nor more than twenty years in the State Penitentiary, for the crime of forgery in the first degree. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

R. P. CLARK—Sentenced November 18, 1933, from Kittitas county, to serve not less than one year nor more than twenty years in the State Penitentiary for the crime of forgery in the first degree. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

MIKE GRISPINO—Sentenced October 26, 1933, from Pierce county, to serve not less than five years nor more than six years in the State Penitentiary, for the crime of

robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board and the Sentencing Judge.

**EMERY WEST**—Sentenced November 4, 1933, from Walla Walla county, to serve not less than one year nor more than fifteen years in the State Penitentiary for the crime of burglary in the second degree. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**T. H. LUCAS**—Sentenced June 6, 1933, from Whatcom county, to serve not less than five years nor more than six years in the State Penitentiary, for the crime of carnal knowledge. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board, and the Prosecuting Attorney.

**FRANK WILLIS**—Sentenced May 27, 1933, from Okanogan county, to serve not less than two years nor more than five years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CHARLES CRISS**—Sentenced June 9, 1932, from King county, to serve not less than three years nor more than five years in the State Penitentiary, for the crime of taking a motor vehicle without owner's permission. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**LEONARD JOHNSON**—Sentenced October 11, 1932, from King county, to serve not less than three years nor more than eight years, in the State Penitentiary, for the crime of Grand Larceny. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**BOB TUCKER**—Sentenced March 19, 1932, from King county, to serve not less than five years nor more than six years in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board and the Sentencing Judge.

**MARVIN L. WORKMAN**—Sentenced March 29, 1932, from Cowlitz county, to serve not less than three years nor more than five years in the State Penitentiary for the crime of grand larceny. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HOUSTON TURPIN**—Sentenced January 23, 1932, from King county, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Sentencing Judge and Prosecutor, as well as the Chief of the King county detectives.

**MANCIL H. BROKAW**—Sentenced October 8, 1931, from Lincoln county, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of burglary in the second degree. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**ANDREW HASSELL**—Sentenced September 30, 1931, from King county, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HUGH FOSTER**—Sentenced April 7, 1931, from Yakima county, to serve not less than five years nor more than legal maximum in the State Penitentiary, for the crime of first degree assault. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, and the Sheriff of Yakima county.

**ERNEST DANIELS**—Sentenced February 13, 1931, from King county, to serve not less than seven years nor more than twelve years in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, and the Prosecuting Witness.

**LEVIS F. BENNETT**—Sentenced January 9, 1931, from Pierce county, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of

attempted robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

LESLIE M. SMITH—Sentenced December 12, 1930, from Pierce county, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, and the Prosecuting Witness.

HOWARD D. FULMORE—Sentenced December 12, 1930, from Pierce county, to serve not less than four years nor more than ten years in the State Penitentiary, for the crime of second degree assault. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

GEORGE MARKS—Sentenced November 15, 1930, from King county, to serve not less than four years nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

OZE JOHNSON—Sentenced April 7, 1930, from Whatcom county, to serve not less than five years and not more than five years and one day in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

MELVIN BURG—Sentenced April 4, 1930, from Whatcom county, to serve not less than five years nor more than five years and one day in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Prosecuting Witness, the Chief of Police of Bellingham, and numerous citizens.

DANIEL AUSTIN HUCKABY—Sentenced March 29, 1930, from Pierce county, to serve not less than seven years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

FRED GRANZ—Sentenced March 22, 1930, from Spokane county, to serve not less than five to fifteen years each on three counts, concurrently, in the State Penitentiary, for the crime of grand larceny, three counts. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

THOMAS DEAN—Sentenced October 28, 1929, from Clark county, to serve a sentence of natural life in the State Penitentiary, for the crime of being an habitual criminal. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Sentencing Judge and the Arresting Sheriff.

LULU ETHEL GRUBER—Sentenced December 20, 1927, remitted to March 13, 1929, from King county, to serve not less than ten years nor more than ten years and one day in the State Penitentiary, for the crime of second degree murder. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board, former King county Prosecutor Ewing D. Colvin, who personally prosecuted this case.

MILDRED GOTCHY—Sentenced May 9, 1928, from Snohomish county, to serve not less than five years nor more than ten years, and not less than five years nor more than five years and one day, in the State Penitentiary, on two counts of robbery, sentences to run consecutively. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

ROBERT STEVENS—Sentenced February 24, 1928, from Lewis county, to serve not less than ten years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JAMES H. WADE—Sentenced December 8, 1926, from Klickitat county, to serve not less than ten years nor more than twenty years in the State Penitentiary for the crime of second degree murder. Executive Parole granted June 25, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

RALPH W. MATTLEY—Sentenced September 19, 1932, from Spokane county, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of

the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Prison Physician.

**GLEN HILL**—Sentenced June 11, 1934, from Whitman county, to serve not less than one year nor more than three years, two counts, concurrently, in the State Penitentiary, for the crimes of burglary in the second degree and grand larceny. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary, and the Penitentiary Parole Board.

**ALONZO R. CULVER**—Sentenced June 11, 1934, from Whitman county, to serve not less than one year nor more than three years, and not less than one year nor more than three years concurrently, in the State Penitentiary, for the crimes of second degree burglary and grand larceny. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary, and the Penitentiary Parole Board.

**ARTHUR BUSHEY**—Sentenced March 16, 1934, from Pierce county, to serve not less than one year nor more than two years in the State Penitentiary, for the crime of manslaughter. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Sentencing Judge and the Prosecuting Attorney.

**GROVER LOWERY**—Sentenced October 5, 1933, from Yakima county, to serve not less than eighteen months nor more than fifteen years in the State Penitentiary, for the crime of receiving stolen property. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**C. W. CHRISTIAN**—Sentenced September 11, 1933, from Kitsap county, to serve not less than eighteen months nor more than ten years on three counts concurrently in the State Penitentiary, for the crime of second degree burglary on three counts. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**E. I. SWARZBOLD**—Sentenced September 19, 1933, from Cowlitz county, to serve not less than eighteen months nor more than eight years in the State Penitentiary for the crime of attempt to escape from jail. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**ROBERT ZUNKE**—Sentenced September 5, 1933, from Lewis county, to serve not less than six months nor more than one year consecutively on each of three counts, in the State Penitentiary, for the crime of first degree forgery, three counts. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CLIFFORD VERNON**—Sentenced September 11, 1933, from Walla Walla county, to serve not less than fifteen months nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary, and the Penitentiary Parole Board.

**WILLIAM KETCHUM**—Sentenced September 19, 1933, from Pend Oreille county, to serve not less than eighteen months nor more than fifteen years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary, and the Penitentiary Parole Board.

**LOUIS BELLES**—Sentenced August 4, 1933, from King county, to serve not less than two and one-half years nor more than six years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**OSCAR WICKEN**—Sentenced July 27, 1933, from Spokane county, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**WALTER JUDKINS**—Sentenced June 25, 1933, from Klickitat county, to serve not less than one and one-half years nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

GEORGE F. TOWNSEND—Sentenced February 11, 1933, from Jefferson county, to serve not less than one year nor more than three years concurrently on two counts, in the State Penitentiary, for the crime of grand larceny two counts. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Sentencing Judge, the Prosecuting Attorney, other officials of Jefferson county, the officials of the City of Port Townsend, and numerous business men.

BENTON SCOTT—Sentenced February 10, 1933, from Pierce County, to serve not less than three years nor more than six years in the State Penitentiary for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

DANIEL C. HOPPER—Sentenced January 18, 1933, from King County, to serve not less than two years nor more than four years in the State Penitentiary, for the crime of first degree forgery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOHN WARD GARVIN—Sentenced February 25, 1933, from Cowlitz County, to serve not less than ten years nor more than eleven years in the State Penitentiary for the crime of petit larceny and habitual criminal. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

CARSON CHRISCO—Sentenced February 1, 1933, from Walla Walla County, to serve not less than three years nor more than ten years in the State Penitentiary, for the crime of second degree assault. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOE LAWRENCE—Sentenced February 21, 1933, from Thurston County, to serve not less than three years nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOHN TURPIN—Sentenced February 28, 1933, from King County, to serve not less than three years nor more than ten years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

FRANK WALLERT—Sentenced September 30, 1932, from King County, to serve not less than four years nor more than ten years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JAMES SHORT—Sentenced October 11, 1932, from Pierce county, to serve not less than three years nor more than five years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

RAY ROSEMAN—Sentenced September 19, 1932, from Yakima county, to serve not less than three years nor more than ten years in the State Penitentiary, for the crime of second degree assault. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Sheriff of Yakima County, who was the arresting officer.

FRED RANSTROM—Sentenced February 13, 1932, from King county, to serve not less than five years nor more than twenty years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOHN S. BAGLEY—Sentenced March 18, 1932, from Snohomish County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

CARL MCKEY—Sentenced March 2, 1932, from Asotin County, to serve not less than three years nor more than ten years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

W. B. RILEY—Sentenced December 16, 1931, from Pierce County, to serve not less than five years nor more than ten years, and not less than five years nor more than ten years, concurrently, in the State Penitentiary, for the crime of robbery, two counts. Executive Parole granted on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

CHARLES ENNIS—Sentenced May 4, 1931, from King County, to serve not less than six years nor more than eight years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JACK ENNIS—Sentenced May 2, 1931, from King county, to serve not less than six years nor more than eight years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

ED JACKSON—Sentenced December 6, 1930, from King county, to serve not less than five years nor more than fifteen years, and not less than five years nor more than fifteen years, concurrently, in the State Penitentiary, for the crime of robbery, two counts. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOHN STRICKLAND—Sentenced September 16, 1930, from Pierce County, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of carnal knowledge. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

DAVID BRYCE—Sentenced July 18, 1930, from Clark County, to serve not less than six years nor more than twenty years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

A. L. DUNHAM—Sentenced June 9, 1930, from Pierce county, to serve not less than fifteen years nor more than twenty-five years in the State Penitentiary, for the crime of rape. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Arresting Officer.

RAY STEWART—Sentenced March 22, 1930, from Spokane County, to serve not less than five years nor more than fifteen years, three counts concurrently, in the State Penitentiary, for the crime of grand larceny, three counts. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOB KISO—Sentenced June 8, 1929, (Remittitur December 6, 1929) from King County, to serve not less than ten years nor more than twenty years, in the State Penitentiary, for the crime of second degree murder. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

ED KELLY—Sentenced November 5, 1929, from Pierce County, to serve not less than ten years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

ALFRED LEROY BURNETT—Sentenced November 5, 1929, from Pierce County, to serve not less than ten years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

THOMAS DEAN—Sentenced October 28, 1929, from Clark County, to serve a term of natural life in the State Penitentiary, for the crime of being an habitual criminal. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Sentencing Judge, and the Arresting Officer.

WAYNE CROWDER—Sentenced July 30, 1929, from King County, to serve not less than ten years nor more than twenty-five years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

GEORGE KUCHMAN—Sentenced March 30, 1928, from Snohomish County, to serve not less than seven and one-half years nor more than fourteen years in the State Penitentiary, for the crime of carnal knowledge of a female child. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

CHARLES SORENSON—Sentenced May 11, 1928, from King County, to serve not less than eight years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOE A. HAMBRICK—Sentenced August 11, 1925, from Yakima County, to serve not less than ten years nor more than ten years in the State Penitentiary, for the crime of carnal knowledge of a female child. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOHN WILSON—Sentenced July 6, 1914, Lewis County, to serve a term of life in the State Penitentiary, for the crime of being an habitual criminal. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

ISOM WHITE—Sentenced March 9, 1920, (Remitted March 23, 1921), from Snohomish County, to death, commuted to life imprisonment in the State Penitentiary, for the crime of first degree murder. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

GUNNAR SCHEFSTROM—Sentenced October 14, 1929, from Cowlitz County, to serve not less than twelve years nor more than twenty years in the State Penitentiary, for the crime of first degree assault. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

P. J. McCULLEM—Sentenced August 14, 1934, from Jefferson county, to serve not less than one year nor more than five years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

FRED M. O'NEILL—Sentenced June 29, 1934, from Pierce County, to serve not less than one year nor more than three years in the State Penitentiary, for the crime of manslaughter. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board, the Prosecuting Attorney and the parents of the victim.

K. FURUKAWA—Sentenced June 25, 1934, from Kittitas County, to serve not less than one and one-half years nor more than fifteen years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

J. J. LANGILL—Sentenced June 4, 1934, from Cowlitz County, to serve not less than one year nor more than two years in the State Penitentiary, for the crime of adultery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

RALPH HUGHES—Sentenced June 2, 1934, from Kittitas County, to serve not less than one year nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JACK ERNEST PHILLIPS—Sentenced May 14, 1934, from Garfield County, to serve not less than one year nor more than five years in the State Penitentiary, for the crime of grand larceny. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

EDWIN KEEHAN—Sentenced April 9, 1934, from Whatcom County, to serve not less than one year and three months nor more than five years in the State Penitentiary, for the crime of attempt to commit sodomy. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board, the Sentencing Judge and the Prosecuting Attorney.

**WILLIAM KOMINSKI**—Sentenced July 18, 1933 (Time starts April 13, 1934), from King County, to serve not less than one year nor more than one and one-half years in the State Penitentiary, for the crime of second degree assault. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CHARLES SMITH**—Sentenced March 27, 1934, from Pierce County, to serve not less than one year nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Prosecuting Attorney and the Sentencing Judge.

**ROY KELLOGG**—Sentenced December 21, 1933, from Cowlitz county, to serve not less than one and one-half years nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Sentencing Judge and numerous citizens of Cowlitz County.

**WILLIAM CHARNILOFF**—Sentenced October 7, 1933, from King County, to serve not less than two years nor more than five years in the State Penitentiary, for the crime of taking motor vehicle without owner's permission. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**GERALD LOWRY**—Sentenced September 29, 1933, from Yakima County, to serve not less than two years nor more than fifteen years, five counts concurrently in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Sentencing Judge.

**NORMAN DUBRAY**—Sentenced September 23, 1933, from King County, to serve not less than two years nor more than three years in the State Penitentiary, for the crime of first degree forgery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**WALTER CHANCE**—Sentenced August 7, 1933, from Lewis County, to serve not less than two years nor more than four years in the State Penitentiary, for the crime of taking motor vehicle without owner's permission. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**THOMAS F. WELCH**—Sentenced February 4, 1933, from Pierce County, to serve not less than three years nor more than five years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**BOBBY JUAREZ**—Sentenced November 9, 1931, from Pierce County, to serve not less than four years nor more than five years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**G. WEHLIN**—Sentenced August 4, 1931, from Skagit County, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of first degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Prosecuting Attorney and the Sentencing Judge.

**LESLIE LeGARY**—Sentenced August 4, 1931, from Skagit County, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of first degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Prosecuting Attorney and the Sentencing Judge.

**THOMAS DeWOLFE**—Sentenced August 4, 1931, from Skagit County, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of first degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Sentencing Judge.

**JAMES MARQUETTE**—Sentenced July 2, 1931, from Thurston County, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the

recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**GRADIE COPE**—Sentenced May 28, 1931, from Okanogan County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of abduction. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Prosecuting Attorney and the Arresting Sheriff.

**FRED W. LICK**—Sentenced December 24, 1930, from Pierce County, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**ERNEST SHAFFER**—Sentenced November 14, 1930, from Cowlitz County, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JOHN HASHEK**—Sentenced May 9, 1930, from King County, to serve not less than five years nor more than ten years, two counts concurrently, in the State Penitentiary, for the crime of burglary, two counts. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**JEROME E. JOHNSON**—Sentenced January 4, 1930, from Pierce County, to serve not less than three years nor more than five years on two counts consecutively, in the State Penitentiary, for the crime of forgery, two consecutive counts. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CHARLES COTTER**—Sentenced April 28, 1932 (Time starts June 6, 1933), from Snohomish County, to serve not less than one and one-half years nor more than two years in the State Penitentiary, for the crime of grand larceny and escape, and three to five years consecutively. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**A. R. BEURLING**—Sentenced July 21, 1934, from Thurston County, to serve not less than nor more than two and one-half years in the State Penitentiary for the crime of attempted robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board and the Prosecuting Attorney.

**LYNDEL J. EAST**—Sentenced November 28, 1933, from Spokane County, to serve not less than five years nor more than twenty years in the State Penitentiary for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Sentencing Judge.

**ED WOOD**—Sentenced November 16, 1933, from Pierce County, to serve not less than five years nor more than six years in the State Penitentiary, for the crime of attempted burglary. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board, the Chief of Police of Tacoma, the Arresting Sheriff, the Prosecuting Attorney and the Sentencing Judge.

**ALBERT E. SEIFFERT**—Sentenced March 30, 1933, from Cowlitz County, to serve not less than eight years nor more than fourteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Prison Physician.

**HENRY J. FRIEL**—Sentenced December 15, 1932, from Clark County, to serve not less than five years nor more than twenty years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**WARREN JOHNSON**—Sentenced June 9, 1932, from Pierce County, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime

of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**LESLIE POLLEY**—Sentenced June 9, 1932, from Pierce County, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**TOM DILLON**—Sentenced June 3, 1932, from King County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**LEE SHELTON**—Sentenced December 30, 1931, from Yakima County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**RICHARD TAPLEY**—Sentenced April 12, 1934, from King County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board and the Sentencing Judge.

**ALLEN PRICE**—Sentenced January 23, 1932, from King County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Sentencing Judge.

**BERNARD BRYNE**—Sentenced January 23, 1932, from King County, to serve not less than five years nor more than eight years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board and the Sentencing Judge.

**HAL ROONEN**—Sentenced January 15, 1932, from Yakima County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HOWARD R. HUBBARD**—Sentenced December 5, 1931, from King County, to serve not less than six years nor more than fifteen years in the State Penitentiary, for the crime of attempted robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**VERNON KELLER**—Sentenced October 23, 1931, from Pierce County, to serve not less than five years nor more than seven years on two counts concurrently in the State Penitentiary, for the crime of robbery, two counts concurrently. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**FRANK WILKES**—Sentenced September 30, 1931, from King County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**CARL SNYDER**—Sentenced July 24, 1931, from King County, to serve not less than six years nor more than twenty years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**WILLIAM E. WORSHAM**—Sentenced March 17, 1930 (Time starts July 1, 1931), from King County, to serve not less than ten years and not more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

**HAROLD NICHOLS**—Sentenced June 19, 1931, from Clark County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

FRED RUSSELL—Sentenced February 5, 1931, from King County, to serve not less than six years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary, the Penitentiary Parole Board, the Deputy Prosecuting Attorney in charge of this prosecution.

ARNIE HORT—Sentenced February 5, 1931, from King County, to serve not less than six years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

V. A. BABCOCK—Sentenced November 28, 1930, from King County, to serve not less than ten years nor more than twenty years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

GEORGE C. WADE—Sentenced October 17, 1930, from King County, to serve not less than six years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

RALPH CRANDALL—Sentenced October 17, 1930, from King County, to serve not less than five years nor more than ten years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board and the Prosecuting Witness.

JERRY HOWARD—Sentenced April 5, 1930, from King County, to serve not less than seven years and not more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

DAN O'CONNOR—Sentenced March 30, 1929, from King County, to serve not less than seven and one-half years nor more than fifteen years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

ROSCOE J. DOWELL—Sentenced May 28, 1929, from King County, to serve not less than five years nor more than twenty years, two counts consecutively in the State Penitentiary, for the crime of first degree forgery, two counts consecutively. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board as well as the Sentencing Judge and the Manager of the Burns National Detective Agency.

HOWARD SHEEHAN—Sentenced October 17, 1928, from Pierce County, to serve not less than ten years nor more than fifteen years, two counts concurrently and three to ten years, in the State Penitentiary, for the crime of robbery, two counts concurrently and jail break. Executive Parole granted December 10, 1934, on the recommendations of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOB O. NEAL—Sentenced November 20, 1925, from King County, to serve not less than twenty years nor more than thirty years in the State Penitentiary, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

WAINO K. MAKI—Sentenced March 2, 1931, from Clark County, to serve not less than ten years nor more than twenty years in the State Penitentiary, for the crime of second degree murder. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOHN KNEIP—Sentenced January 20, 1920, from Pierce County, to serve not less than a term of life in the State Penitentiary, for the crime of murder in the first degree. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JAMES E. SPARKS—Sentenced June 14, 1921, from Pierce County, to serve not less than a term of life in the State Penitentiary, for the crime of murder in the first degree. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board.

JOHN A. MCLEOD—Sentenced January 12, 1932, from King county, to serve not less than five years nor more than fifteen years in the State Penitentiary, for the crime of carnal knowledge. Executive Parole granted December 10, 1934, on the recom-

mendation of the Superintendent of the Penitentiary and the Chief Parole Officer of the State of Washington.

C. E. VETTER—Sentenced January 29, 1934, from Yakima county, to serve not less than one and one-half nor more than fifteen years in the State Penitentiary for the crime of grand larceny by embezzlement. Executive Parole granted December 15, 1934, on the recommendation of the Superintendent of the Penitentiary and the Penitentiary Parole Board and the Prosecuting Attorney.

#### EXECUTIVE PAROLES—REFORMATORY.

DAN LYDON—Sentenced November 17, 1933, from Pierce county, to serve not less than five years nor more than six years for the crime of robbery. Executive Parole granted December 30, 1933, on the recommendation of numerous officials and citizens of King county.

GEORGE BENJAMIN MASON—Sentenced May 8, 1933, from Clark county, to serve not less than one year nor more than ten years in the State Reformatory, for the crime of auto theft. Executive Parole granted December 30, 1933, on the recommendation of the Sentencing Judge, the Prosecuting Attorney and the Sheriff of Clark county.

WILLIAM HENRY WOLLERTZ—Sentenced November 15, 1933, from Skagit county, to serve not less than six months nor more than eighteen months in the State Reformatory, for the crime of grand larceny. Executive Parole granted January 18, 1934, on the recommendation of the Superintendent of the Reformatory, the Chief Parole Officer, the Prosecuting Attorney, and citizens.

RAY TRAFTON—Sentenced November 15, 1933, from Skagit county, to serve not less than nine months nor more than eighteen months in the State Reformatory, for the crime of grand larceny. Executive Parole granted January 19, 1934, on the recommendation of the Superintendent of the Reformatory, the Prosecuting Attorney the State Parole Officer and other officials of Skagit county.

ARNOLD SWANSON—Sentenced January 13, 1934, from Pierce county, to serve not less than three years nor more than five years in the Reformatory, for the crime of second degree burglary. Executive Parole granted February 7, 1934, on the recommendation of the Sentencing Judge, the Chief Parole Officer, and citizens of Pierce county.

HAROLD GATH—Sentenced June 27, 1930, from King county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

SHERWIN FRAZIER—Sentenced November 23, 1929, from Chelan county, to serve not less than five years nor more than seven years in the State Reformatory for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

STEPHEN IMRE—Sentenced August 15, 1930, from Okanogan county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

TOM MONROE—Sentenced November 10, 1930, from Spokane county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

KENNETH LANG—Sentenced March 10, 1931, from Cowlitz county, to serve not less than three and a half years nor more than seven years in the State Reformatory, for the crime of burglary in the second degree. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

ALFRED JACKSON—Sentenced March 10, 1931, from Cowlitz county, to serve not less than three and a half years nor more than seven years in the State Reformatory, for the crime of burglary, second degree. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

JACK SAWDER—Sentenced March 10, 1931, from Cowlitz county, to serve not less than three and a half years nor more than seven years in the State Reformatory, for

the crime of burglary in the second degree. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

URSEL JOHNSON—Sentenced September 16, 1931, from Clark county, to serve not less than five years nor more than twenty years in the State Reformatory for the crime of burglary in the first degree. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

EDWARD HAWCROFT—Sentenced September 18, 1931, from King county, to serve not less than three years nor more than five years in the State Reformatory for the crime of second degree assault. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

EDDIE AUSTERMUHL—Sentenced January 4, 1932, from Pierce county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of attempted robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

JOE MONTANTE—Sentenced September 28, 1931, from Snohomish county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of carnal knowledge. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

JACK ROY—Sentenced February 2, 1932, from King county, to serve not less than three years nor more than fifteen years in the State Reformatory, for the crime of burglary in the second degree. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

RALPH MCMAHON—Sentenced February 2, 1932, from King county, to serve not less than three years nor more than fifteen years in the State Reformatory, for the crime of burglary in the second degree. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

KENNETH THIESSEN—Sentenced February 23, 1932, from King county, to serve not less than three and a half years nor more than fifteen years in the State Reformatory, for the crime of burglary, second degree. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

ERNEST DORIS—Sentenced July 21, 1932, from Thurston county, to serve not less than three years nor more than fifteen years in the State Reformatory, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

EDWARD L. BRADLEY—Sentenced October 20, 1931, from King county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

FRANK BRADLEY—Sentenced October 20, 1931, from King county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

KENNETH R. CARBURY—Sentenced October 20, 1931, from King county, to serve not less than five nor more than ten years in the State Reformatory for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

ROY STENMOE—Sentenced October 20, 1931, from King county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

JAMES HAYES—Sentenced January 17, 1933, from Douglas county, to serve not less than one and a half years nor more than three years in the State Reformatory, for the crime of seduction. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

ROBERT FOLLIS—Sentenced April 22, 1933, from Whatcom county, to serve not less than fifteen months nor more than ten years in the State Reformatory, for the crime of second degree arson. Executive Parole granted March 12, 1934, on the recommendation of the numerous prominent citizens of Whatcom county and the Parole Board of the State Reformatory.

**JOHN HINDS**—Sentenced June 30, 1933, from Whatcom county, to serve not less than one year nor more than fifteen years in the State Reformatory, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Trial Judge and Prosecuting Attorney of Whatcom county, and the Parole Board of the State Reformatory.

**IVER MOE**—Sentenced November 15, 1933, from Skagit county, to serve not less than one year nor more than two years in the State Reformatory, for the crime of grand larceny. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

**KENNETH PURCELL**—Sentenced May 23, 1931, from King county, to serve not less than six years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

**JAMES GORDON**—Sentenced June 27, 1930, from Pierce county, to serve not less than five years nor more than fifteen years in the State Reformatory, for the crime of robbery. Executive Parole granted March 12, 1934, on the recommendation of the Parole Board of the State Reformatory.

**JOHN HENRY KETZENBARGER**—Sentenced March 9, 1933, from Jefferson county, to serve not less than five years nor more than five years in the State Reformatory for the crime of robbery. Executive Parole granted May 11, 1934, on the recommendation of the Sentencing Judge, the Prosecuting Attorney, and the Sheriff of Jefferson county.

**KENNETH CROW**—Sentenced March 9, 1933, from Jefferson county, to serve not less than five years until discharged by law in the State Reformatory, for the crime of robbery. Executive Parole granted May 11, 1934, on the recommendation of the Sentencing Judge, the Prosecuting Attorney and the Sheriff of Jefferson county.

**OHEN SAMPSON**—Sentenced May 11, 1934, from Yakima county, to serve not less than one and a half years nor more than ten years in the State Reformatory for the crime of carnal knowledge. Executive Parole granted June 25, 1934, on the recommendation of the Prosecuting Attorney and Sheriff of Yakima county, prominent citizens of Yakima, and the Parole Board of the State Reformatory.

**ORVILLE YARROLL**—Sentenced March 15, 1934, from Spokane county, to serve not less than one year nor more than five years in the State Reformatory, for the crime of grand larceny. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

**WILLIAM ZIEMBA**—Sentenced January 24, 1934, from Kittitas county, to serve not less than one year nor more than fifteen years in the State Reformatory for the crime of second degree burglary. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

**ALVIN DAVIS**—Sentenced October 24, 1933, from Clark county, to serve not less than one year nor more than five years in the State Reformatory, for the crime of auto theft. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

**FRANK BRADLEY**—Sentenced September 11, 1933, from Lincoln county, to serve not less than eighteen months nor more than three years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

**DAVID CURRINGTON**—Sentenced April 12, 1933, from Thurston county, to serve not less than five years nor more than five years in the State Reformatory, for the crime of attempted robbery. Executive Parole granted June 25, 1934, on the recommendation of the Prosecuting Attorney, the Trial Judge, and the Sheriff of Thurston county, and the Parole Board of the State Reformatory.

**HARRY O'BRIEN**—Sentenced March 29, 1933, from Skagit county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

**FRED JULYAN**—Sentenced March 29, 1933, from Skagit county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

ARTHUR WALLMAN—Sentenced January 23, 1933, from Clark county, to serve not less than five years nor more than twenty years in the State Reformatory for the crime of carnal knowledge. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

CECIL R. POTTER—Sentenced January 24, 1933, from Pierce county, to serve not less than two years nor more than three years in the State Reformatory, for the crime of grand larceny. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

ARTHUR NELSON—Sentenced April 25, 1932, from Whatcom county, to serve not less than five years nor more than fifteen years in the State Reformatory, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Prosecuting Attorney of Whatcom county and the Parole Board of the State Reformatory.

JOHN HANSON—Sentenced April 25, 1932, from Whatcom county, to serve not less than five years nor more than fifteen years in the State Reformatory, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Prosecuting Attorney of Whatcom county and the Parole Board of the State Reformatory.

ED MINKS—Sentenced January 27, 1934, from Chelan county, to serve not less than one year nor more than three years in the State Reformatory, for the crime of selling intoxicating liquor to a minor. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

FRANK L. EVANS—Sentenced May 23, 1931, from King county, to serve not less than six years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

GLENN H. ROBERTS—Sentenced July 3, 1933, from Spokane county, to serve not less than two years nor more than fifteen years in the State Reformatory, for the crime of grand larceny. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

RAYMOND BASHOR—Sentenced March 27, 1933, from Cowlitz county, to serve not less than five years nor more than six years in the State Reformatory, for the crime of robbery with firearms. Executive Parole granted June 25, 1934, on the recommendation of the Prosecuting Attorney, Trial Judge and Sheriff of Cowlitz county, and the Parole Board of the State Reformatory.

BILL WILLIAMS—Sentenced March 27, 1933, from Cowlitz county, to serve not less than five years nor more than six years in the State Reformatory, for the crime of robbery with firearms. Executive Parole granted June 25, 1934, on the recommendation of the Prosecuting Attorney, the Trial Judge, the Sheriff of Cowlitz county, and the Parole Board of the State Reformatory.

MARK WILSON—Sentenced December 13, 1934, from King county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

MORRIS GOODLAKE—Sentenced November 2, 1932, from Lincoln county, to serve not less than two years nor more than three years in the State Reformatory, for the crime of grand larceny. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

DAVID B. WARFEL—Sentenced November 10, 1932, from Pierce county, to serve not less than two years nor more than three years in the State Reformatory, for the crime of grand larceny. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

JOHN L. WOLF—Sentenced November 10, 1932, from Pierce county, to serve not less than two years nor more than three years in the State Reformatory, for the crime of grand larceny. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

ROBERT BIBLE—Sentenced November 10, 1932, from Pierce county, to serve not less than two years nor more than three years in the State Reformatory, for the crime of grand larceny. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

ALFORD ROSS—Sentenced June 16, 1932, from King county, to serve not less than five years nor more than twenty years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

PAT KELLEY—Sentenced December 16, 1931, from Thurston county, to serve not less than five years nor more than twenty years in the State Reformatory, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

O. B. HANCOCK—Sentenced December 16, 1931, from Thurston county, to serve not less than five years nor more than twenty years in the State Reformatory, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

HAROLD L. BLOSSOM—Sentenced September 22, 1931, from Spokane county, to serve not less than five years nor more than twenty years in the State Reformatory for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

HARVEY LARSON—Sentenced April 27, 1931, from Spokane county, to serve not less than six years nor more than twenty years in the State Reformatory, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

FRED MARTIN—Sentenced May 11, 1931, from Spokane county, to serve not less than six years nor more than twenty years in the State Reformatory, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

LAWRENCE CRAW—Sentenced February 6, 1931, from Thurston county, to serve not less than four years nor more than fifteen years in the State Reformatory, for the crimes of second degree burglary and grand larceny, two counts to run concurrently. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

MILO LUKE—Sentenced November 29, 1930, from Yakima county, to serve not less than seven years nor more than fifteen years in the State Reformatory, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

ARDELL TRIBOU—Sentenced November 29, 1930, from Yakima county, to serve not less than seven years nor more than fifteen years in the State Reformatory, for the crime of robbery. Executive Parole granted June 25, 1934, on the recommendation of the Parole Board of the State Reformatory.

W. M. CAMPBELL—Sentenced April 20, 1934, from King county, to serve not less than one year nor more than five years in the State Reformatory, for the crime of auto theft. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

CHARLES C. CUNNINGHAM—Sentenced March 9, 1934, from Spokane county, to serve not less than one year nor more than five years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

IRVIN CUNNINGHAM—Sentenced March 9, 1934, from Spokane county, to serve not less than one year nor more than five years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

EARL MARTIN—Sentenced April 2, 1934, from Cowlitz county, to serve not less than fifteen months nor more than seven years in the State Reformatory, for the crime of carnal knowledge. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

LEONARD RAGAN—Sentenced May 27, 1933, from Okanogan county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of grand larceny. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

RALPH A. WATTS—Sentenced January 17, 1934, from King county, to serve not less than one year, nor more than fifteen years in the State Reformatory, for the crime

of grand larceny. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**JACK KELLEY**—Sentenced October 16, 1933, from Spokane county, to serve not less than three years nor more than fifteen years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**CHARLES REEDER**—Sentenced October 16, 1933, from Spokane county, to serve not less than two years nor more than fifteen years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**ELMER VOSHALL**—Sentenced August 21, 1933, from Kittitas county, to serve not less than two years nor more than fifteen years in the State Reformatory, for the crime of grand larceny. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**CLAYTON ARNOLD**—Sentenced March 11, 1933, from Pierce county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of first degree forgery. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**RALPH CARR**—Sentenced December 30, 1931, from Yakima county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**M. R. MONAHAN**—Sentenced February 23, 1933, from Lewis county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**R. G. WOONACOTT**—Sentenced March 1, 1933, from Spokane county, to serve not less than two years nor more than fifteen years in the State Reformatory, for the crime of first degree forgery. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**THEODORE ABBOTT**—Sentenced January 16, 1933, from Pierce county, to serve not less than two years nor more than three years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**WALLACE BUCK**—Sentenced June 17, 1932, from Yakima county, to serve not less than three years nor more than fifteen years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**RAYMOND MESSMER**—Sentenced February 11, 1932, from Pierce county, to serve not less than three years nor more than five years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted September 19, 1934, on the recommendation of the Parole Board of the State Reformatory.

**ANDREW K. HANSEN**—Sentenced September 25, 1933, from Whatcom county, to serve not less than fifteen months nor more than ten years in the State Reformatory, for the crime of carnal knowledge of a female child. Executive Parole granted September 19, 1934, on the recommendation of the Superintendent of the State Reformatory and the State Parole Officer, to effect his immediate deportation to Norway.

**HAROLD SANDOW**—Sentenced January 8, 1934, from Kitsap county, to serve not less than one year nor more than five years in the State Reformatory, for the crime of burglary in the second degree and grand larceny. Executive Parole granted December 10, 1934, on the recommendation of the Superintendent of the State Reformatory, the Parole Board of the State Reformatory, the same to take effect and run concurrently with automatic parole number 8150, granted under the date of January 7, 1935.

**OSCAR AHO**—Sentenced October 9, 1933, from Cowlitz county, to serve not less than two years and not more than ten years in the State Reformatory, for the crime of manslaughter. Executive Parole granted December 10, 1934, on the recommendation of the Sentencing Judge, Prosecuting Attorney and Sheriff of Cowlitz county, and the Parole Board of the State Reformatory.

**HARRY HAUITICHMAN**—Sentenced May 17, 1934, from Thurston county, to serve not less than one year nor more than ten years in the State Reformatory, for the

crime of second degree assault. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

MILES MOSS—Sentenced March 19, 1934, from Spokane county, to serve not less than one year nor more than five years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

ELMER SWANSON—Sentenced November 6, 1933, from Spokane county, to serve not less than one and one-half years nor more than ten years in the State Reformatory, for the crime of manslaughter. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory and the Deputy Prosecuting Attorney of Spokane county.

ARTHUR FULLER—Sentenced December 10, 1932, from Yakima county, to serve not less than one year nor more than fifteen years in the State Reformatory, for the crime of grand larceny. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

EDWARD WOOD—Sentenced October 23, 1934, from Clark county, to serve not less than two years nor more than twenty years in the State Reformatory, for the crime of first degree forgery. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

ALBERT SIPOLLI—Sentenced July 28, 1933, from King county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of auto theft. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

VERLO E. McDOWELL—Sentenced June 15, 1935, from Pierce county, to serve not less than two years nor more than four years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

ALLEN MORRIS—Sentenced June 2, 1933, from King county, to serve not less than two years nor more than ten years in the State Reformatory, for the crime of auto theft. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

ALVIE BURKE—Sentenced May 27, 1933, from Cowlitz county, to serve not less than two years nor more than fifteen years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

BURRITT J. BABCOCK—Sentenced June 5, 1933, from Pierce county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of grand larceny. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

K. P. WEST—Sentenced May 1, 1933, from Pierce county, to serve not less than two years nor more than ten years in the State Reformatory, for the crime of grand larceny. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

LOUIS ACKLES—Sentenced April 12, 1933, from King county, to serve not less than two years nor more than fifteen years in the State Reformatory, for the crime of grand larceny. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

FRED SOUTHMAYD—Sentenced April 15, 1933, from Whatcom county, to serve not less than two and one-half years nor more than five years in the State Reformatory, for the crime of attempt to commit robbery. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

RALPH RUPERT—Sentenced March 30, 1933, from Pierce county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of auto theft. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

VICTOR BAILEY—Sentenced April 7, 1933, from King county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of auto theft. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

**LESTER BORKGREN**—Sentenced April 11, 1933, from King county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of auto theft. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

**JOSEPH CORWIN**—Sentenced November 23, 1932, from King county, to serve not less than three years nor more than ten years in the State Reformatory, for the crime of auto theft. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

**KENNETH KING**—Sentenced June 9, 1932, from Ferry county, to serve not less than five years nor more than six years in the State Reformatory, for the crime of first degree assault. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

**THURMAN ROSE**—Sentenced January 2, 1932, from Yakima county, to serve not less than five years nor more than ten years in the State Reformatory, for the crime of robbery. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

**MIL0 MORGAN**—Sentenced October 6, 1933, from King county, to serve not less than two years nor more than five years in the State Reformatory, for the crime of second degree burglary. Executive Parole granted December 10, 1934, on the recommendation of the Parole Board of the State Reformatory.

#### EXECUTIVE PAROLES—COUNTY JAILS.

**ALLIE SULLIVAN**—Sentenced August 31, 1933, from Spokane county, to serve a term of six months for the crime of shoplifting. Executive Parole granted December 21, 1933, on the recommendation of the Sentencing Justice of the Peace, and concurred in by the Deputy Prosecuting Attorney.

**R. J. SMITH**—Sentenced August 2, 1933, from Thurston county, to serve a term of five months, and a fine of \$500.00, for the crime of driving while intoxicated. Executive Parole granted December 22, 1933, on the recommendation of the Sheriff of Thurston county, Prosecuting Attorney and the Sentencing Judge.

**J. B. WILLIAMSON**—Sentenced June 6, 1932, from Cowlitz county, to serve a term of ninety days and a fine of \$601.00 to the Cowlitz County Jail, for the crime of manufacturing intoxicating liquor; possession of intoxicating liquor; possession of a still for the purpose of manufacturing intoxicating liquor. Executive Parole granted February 6, 1934, on the recommendation of the Prosecuting Attorney, the Sentencing Judge, the Sheriff of Cowlitz county, and the Chief Parole Officer.

**WORLEY BASHOR**—Sentenced June 6, 1932, from Cowlitz county, for a term of ninety days and a fine of \$601.00 to the Cowlitz County Jail, for the crime of manufacturing intoxicating liquor; possession of intoxicating liquor; possession of a still for manufacturing intoxicating liquor. Executive Parole granted February 6, 1934, on the recommendation of the Prosecuting Attorney, the Sentencing Judge, the Sheriff of Cowlitz county, and Chief Parole Officer.

**GEORGE E. HOARD**—Sentenced May 18, 1933, from King county, for a term of one year and a fine of \$1,000.00, to the King County Jail, for the crime of contributing to the delinquency of a minor. Executive Parole granted March 10, 1934, providing one-half of the fine, or \$500.00, to be paid to King county, on the recommendation of the State Parole Officer and citizens of King county, and concurred in by the Prosecuting Attorney and the Sentencing Judge.

**TED SEMON**—Sentenced January 11, 1934, from Spokane county, for a term of ninety (90) days in the Spokane County Jail, for the crime of vagrancy. Executive Parole granted March 17, 1934, on the recommendation of the Sentencing Justice of the Peace, the Sheriff of Spokane county, and numerous citizens.

**RONALD RALSTON**—Sentenced June 22, 1933, from Benton county, for a term of one year in the Yakima County Jail, for the crime of contributing to the delinquency of a minor. Executive Parole granted March 22, 1934, on the recommendation of the Sentencing Judge, the Prosecuting Attorney and numerous citizens.

**ALBERT KUNDE**—Sentenced January 5, 1934, from King county, for a term of six months in the King County Jail, for the crime of petit larceny. Executive Parole granted April 9, 1934, on the recommendation of the Prosecuting Attorney, the Sentencing Judge and citizens.

**WILLIAM MOE**—Sentenced April 1, 1934, from Cowlitz county, for a term of six months, for the crime of carnal knowledge of a female child fifteen years of age. Executive Parole granted July 18, 1934, on the recommendation of the Prosecuting Attorney, the Sentencing Judge, the Sheriff of Cowlitz county, and Attorneys for William Moe.

**MURRAY NEWTON**—Sentenced March 17, 1934, from Spokane county, for a term of six months, for the crime of vagrancy. Executive Parole granted July 26, 1934, on the recommendation of Deputy Sheriff Duggan of the Narcotic Squad, Spokane county; Sentencing Judge of the Peace Gram.

**EUGENE MOON**—Sentenced July 18, 1933 (remittitur dated March 8, 1934), from King county, for a term of six months in the King County Jail, for the crime of interfering with a public officer. Executive Parole granted August 9, 1934, on the recommendation of Chief Parole Officer, Garfield Davis, the Prosecuting Attorney, and numerous citizens.

**HENRY G. PRICE**—Sentenced July 18, 1933 (remittitur dated March 8, 1934), from King county, for a term of six months in the King County Jail, for the crime of interfering with a public officer. Executive Parole granted August 9, 1934, on the recommendation of the Chief Parole Officer Garfield Davis, the Prosecuting Attorney, and numerous citizens.

**ORLAND FRANSEN**—Sentenced July 18, 1933 (remittitur dated March 8, 1934), from King county, for a term of six months in the King County Jail, for the crime of interfering with a public officer. Executive Parole granted August 9, 1934, on the recommendation of Chief Parole Officer Garfield Davis, the Prosecuting Attorney, and numerous citizens.

**FRANK FRANSEN**—Sentenced July 18, 1933 (remittitur dated March 8, 1934), from King county, for a term of six months in the King County Jail, for the crime of assault in the third degree. Executive Parole granted August 9, 1934, on the recommendation of Chief Parole Officer Garfield Davis, the Prosecuting Attorney, and numerous citizens.

**PAUL NORTON**—Sentenced July 18, 1933 (remittitur dated March 8, 1934), from King county, for a term of six months in the King County Jail, for the crime of assault in the third degree. Executive Parole granted August 9, 1934, on the recommendation of Chief Parole Officer Garfield Davis, the Prosecuting Attorney and numerous citizens.

**ROBERT NORTON**—Sentenced July 18, 1933 (remittitur dated March 8, 1934), from King county, for a term of six months in the King County Jail, for the crime of assault in the third degree. Executive Parole granted August 9, 1934, on the recommendation of Chief Parole Officer Garfield Davis, the Prosecuting Attorney, and numerous citizens.

**EDWARD CROSSMAN**—Sentenced July 20, 1934, from Mason county, for a fine of \$500.00 and costs, which is being served out in the Mason County Jail, for the crime of possessing deer meat out of the season. Executive Parole granted October 2, 1934, on the recommendation of the Sentencing Justice of the Peace, Prosecuting Attorney, Sheriff of Mason county, and numerous citizens of Mason county.

**C. W. COLEGROVE**—Sentenced October 19, 1934, from Spokane county, for a fine of \$250.00 which is being served out in the Spokane County Jail, for the crime of hunting deer with artificial light. Executive Parole granted November 28, 1934, on the recommendation of the Sentencing Justice of the Peace, and numerous citizens of Spokane county.

**MARVIN WITT**—Sentenced October 19, 1934, from Spokane county, for a fine of \$250.00, which is being served out in the Spokane County Jail, for the crime of hunting deer with artificial light. Executive Parole granted November 28, 1934, on the recommendation of the Sentencing Justice of the Peace, and numerous citizens of Spokane county.

**ROY PHILLIPY**—Sentenced October 19, 1934, from Spokane county, for a fine of \$250.00, which is being served out in the Spokane County Jail, for the crime of hunting deer with artificial light. Executive Parole granted November 28, 1934, on the recommendation of the Sentencing Justice of the Peace, and numerous citizens of Spokane county.

EDWARD E. COFFIELD—Sentenced July 1, 1930 (remittitur dated July 25, 1931), from Clark county, to serve ninety days in the Clark County Jail and a fine of \$300.00, court cost of \$36.40, for the crime of possession of intoxicating liquor. Executive Parole granted December 19, 1934, on the recommendation of the Mayor of Vancouver, and numerous citizens of Clark county.

NICK SHUSTER—Sentenced December 6, 1934, from Spokane county, to serve a term of sixty days in the Spokane County Jail, for the crime of petit larceny. Executive Parole granted December 28, 1934, on the recommendation of the Sentencing Justice of the Peace, and the Prosecuting Attorney.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 21, 1935.

MR. PRESIDENT:

The House has passed House Joint Memorial No. 7, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION OF BILLS.**

**Senate Bill No. 25**, by Senator Todd, entitled: "An Act relating to crimes and punishments and the rights and custody of persons accused or convicted of crime and repealing Section 242 of Chapter 249 of the Laws of 1909, being Section 2494, Remington's Compiled 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. 26**, by Senator Todd, entitled: "An Act relating to work on mining claims and amending Section 8618 of Remington's Compiled Statutes of Washington."

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 Mines and Mining.

**Senate Bill No. 27**, by Senator Maxwell, entitled: "An Act prohibiting the use of tear bombs and other dangerous chemicals in labor disputes, and providing penalties for its violation."

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. 28**, by Senator Mehner, entitled: "An Act relating to taxation; providing for the assessment and taxation of mineral rights; and declaring that the act shall take effect immediately."

The bill was read the first time, and on motion of Senator Mehner 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. 29**, by Senators Malstrom and Kerstetter, entitled: "An Act relating to and regulating the possession, transportation, treatment and disposition of dead human bodies, the licensing of embalmers and funeral directors, regulating conduct in relation thereto, providing for maximum bur-

ial charges in estates escheating to the State of Washington, providing penalties for violation thereof, and repealing all acts and parts of acts in conflict."

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 Medicine, Dentistry, Pure Food and Drugs.

**Senate Bill No. 30**, by Senator Nelson, entitled: "An Act relating to taxation; imposing a severance tax upon natural products; providing for the collection and distribution thereof; and providing for the administration and enforcement of this act."

The bill was read the first time, and on motion of Senator Nelson 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. 31**, by Senator Reardon, entitled: "An Act relating to elections, fixing the date of primary, providing for filing of candidacy and for the holding of party conventions, prescribing the time and manner of holding same, powers and duties of the membership of such conventions; providing for the election of precinct committeemen, state committeemen and nominees for United States Senators, Representatives in Congress, members of the State Legislature and state and county officials, providing for the organization of county and state central committees and election of county and state chairmen, defining powers and duties of such committees, prescribing method for filling vacancies in the committee and on the list of nominees, the construction and application of the act, and repealing all portions of the law in conflict."

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. 32**, by Senators Steele and Nugent, entitled: "An Act relating to crimes and punishments and the rights and custody of persons accused or convicted of crime and amending Section two hundred and eight (208), of Chapter two hundred forty-nine (249) of the Laws of 1909, page 951 (Rem. Rev. Stat. 2460)."

The bill was read the first time, and on motion of Senator Steele 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 Senators Steele and Peirce, entitled: "An Act changing the name of the Department of Public Works to the Department of Public Service and providing that all the powers and duties now exercised by the director and officers of the Department of Public Works be exercised by the director and officers of the Department of Public Service.

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

On motion of Senator Reardon the rules were suspended and the Senate referred back to the first order of business.

Senator Peirce moved that the President be authorized to appoint a vice-chairman of each one of the larger committees such as Revenue and Taxa-

tion, Roads and Bridges, Appropriations, Judiciary, Flood Control and Liquor Control, to act in the absence of the regular chairman.

The motion was carried.

At 3:10 o'clock p. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## NINTH DAY

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### MORNING SESSION

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SENATE CHAMBER,

OLYMPIA, WASH., Tuesday, January 22, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend L. Wendell Taylor, of the United Churches of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senator Metcalf, who was previously excused, and Senator Todd.

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

The Secretary read:

**Senate Concurrent Resolution No. 3**, by Senators Malstrom and Murphy (James A.): Relating to Washington State Day, and providing for the observance thereof.

On motion of Senator Malstrom, Senate Concurrent Resolution No. 3 was adopted.

The Secretary read:

**House Joint Memorial No. 7**, by Representatives Easterday, Drew, et al. Relating to the World War Adjustment Compensation Act.

On motion of Senator Norman, the rules were suspended, the memorial was read the second time by title; read the third time, and placed on final passage.

Senators Miller, Ryan (J. H.), and Maxwell demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Joint Memorial No. 7, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Farquharson, Ferryman, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas

Those voting nay were: Senators Drumheller, Duggan, Gannon, Keller, McAulay, Murfin, Orndorff, Reardon, Ryan (Scott M.), Worum—10.

Those absent or not voting: Senators Metcalf, Todd—2.

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

On motion of Senator Reardon, Rule No. 63 was suspended.

The Senate recessed at 10:35 o'clock a. m., subject to the call of the Chair.

The Senate reconvened at 10:37 o'clock a. m.

On motion of Senator Lovejoy, the rules were suspended in order to consider Senate Joint Memorial No. 1.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., January 22, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Memorials to whom was referred Senate Joint Memorial No. 1, relating to the Grand Coulee Dam and Irrigation Project, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

EARL MAXWELL, *Acting Chairman.*

We concur in this report: Scott M. Ryan.

On motion of Senator Lovejoy, the rules were suspended, the memorial 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 Memorial No. 1 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas—40.

Those voting nay were: Senators Knutzen, Morrow, Ryan (J. H.), Worum—4.

Absent or not voting: Senators Metcalf, Todd—2.

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

On motion of Senator Lovejoy, the rules were suspended and the Memorial was ordered immediately transmitted to the House.

The Secretary read:

SENATE CHAMBER,  
OLYMPIA, WASH., January 21, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Concurrent Resolution No. 1, relating to the time of convening of the Senate and House, have compared same with the original resolution and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: P. F. Morrow, J. W. Thein, W. C. Dawson.

**SPECIAL ORDER.**

The President announced that the hour for the special order having arrived, the Senate would proceed to consider the Governor's appointments which were a special order for this time.

The Secretary read:

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 21, 1935.

*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 Legislature of the 1933 Extraordinary Session:

**THE STATE TAX COMMISSION.**

H. H. Henneford, Spokane, appointed April 13, 1934, effective April 16th, 1934, for the term ending January 31st, 1937, succeeding S. H. Chase, resigned."

Senator Reardon moved that the appointment of H. H. Henneford be confirmed by the Senate.

The Secretary called the roll on the motion and the appointment of H. H. Henneford was confirmed by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—43.

Absent or not voting: Senators Metcalf, Norman, Todd—3.

The Secretary read:

**"BOARD OF REGENTS OF THE UNIVERSITY OF WASHINGTON.**

"EDWARD P. RYAN, Spokane, appointed July 9th, 1934, effective July 9th, 1934, for the term ending the second Monday in March, 1940, succeeding himself, term expired."

Senator Reardon moved that the appointment of Edward P. Ryan be confirmed by the Senate.

The Secretary called the roll on the motion and the appointment of Edward P. Ryan was confirmed by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Worum—39.

Those voting nay were: Senators Peirce, Roland, Thomas—3.

Absent or not voting: Senators Gannon, Knutzen, Metcalf, Todd—4.

The Secretary read:

"ROBERT MONTGOMERY, Puyallup, appointed July 9th, 1934, effective July 9th, 1934, for the term ending the second Monday in March, 1940, succeeding himself, term expired."

Senator Reardon moved that the appointment of Robert Montgomery be confirmed by the Senate.

The Secretary called the roll on the motion and the appointment of Robert Montgomery was confirmed by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Thein, Worum—31.

Those voting nay were: Senators Dailey, Kyle, Maxwell, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—12,

Absent or not voting: Senators Gannon, Metcalf, Todd—3.

Senator Morrow gave notice that at the proper time he would move to reconsider the vote by which Robert Montgomery's appointment was confirmed.

The Secretary read:

"THOMAS BALMER, Seattle, appointed October 3rd, 1934, effective October 3rd, 1934, for the term ending the second Monday in March, 1935, succeeding Lewis B. Schwellenbach, resigned."

Senator Maxwell moved that the appointment of Thomas Balmer be confirmed by the Senate.

The Secretary called the roll on the motion and the appointment of Thomas Balmer was confirmed by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Worum—41.

Those voting nay were: Senators Roland, Thomas—2.

Absent or not voting: Senators Gannon, Metcalf, Todd—3.

The Secretary read:

"BOARD OF TRUSTEES OF STATE NORMAL SCHOOL AT ELLENSBURG.

"V. J. BOUILLON, Ellensburg, appointed July 9th, 1934, effective July 9th, 1934, for the term ending June 26th, 1940, succeeding himself, term expired."

Senator Ronald moved that the appointment of V. J. Bouillon be confirmed by the Senate.

The Secretary called the roll on the motion and the appointment of V. J. Bouillon was confirmed by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—43.

Absent or not voting: Senators Gannon, Metcalf, Todd—3.

The Secretary read:

"BOARD OF TRUSTEES OF STATE NORMAL SCHOOL AT CHENEY.

"RICHARD S. MUNTER, Spokane, appointed July 9th, 1934, effective July 9th, 1934, for the term ending July 26th, 1940, succeeding himself, term expired."

Senator Peirce moved that the appointment of Richard S. Munter be confirmed by the Senate.

The Secretary called the roll on the motion and the appointment of Richard S. Munter was confirmed by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—43.

Absent or not voting: Senators Gannon, Metcalf, Todd—3.

The Secretary read:

Seattle, Wash., Jan. 20, 1935.

VICTOR A. MEYERS, *Lieut. Governor*: Request Senate's excuse, please. Must be in Seattle this week. Todd.

On motion of Senator Ryan (J. H.), Senator Todd was excused from the Senate for the remainder of the week.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 34**, by Senator Keller, entitled: "An Act relating to dogs, providing for the assessment and collection of annual taxes thereon, and amending Section 1 of Chapter 198, Session Laws of 1929."

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 Revenue and Taxation.

**Senate Bill No. 35**, by Senator McMillan, entitled: "An Act relating to transportation by motor vehicles and fees to be paid therefor; amending Section 15 of Chapter 96 of Laws of 1921 as amended by Chapter 140 of Laws of 1931 as amended by Chapter 166 of Laws of 1933; and amending Section 28 of Chapter 166 of Laws of 1933."

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. 36**, by Senator Murphy (James A.), entitled: "An Act relating to the sale of property under execution, decree or order of sale; and amending Section 1 of Chapter 69 of the Laws of 1927 (Section 582 of Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Murphy (J. A.), 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 Murphy (James A.), entitled: "An Act relating to wages of employees and workmen, creating a lien therefor, providing for priority in cases of insolvency, receivership, bankruptcy, and pro-

bate, and providing other remedies, and amending sections 1149, 1150, 1204, 1205 and 1206 of Remington's Compiled Statutes of Washington."

The bill was read the first time, and on motion of Senator Murphy (James A.), 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. 38**, by Senator Murphy (James A.), entitled: "An Act to regulate the payment of wages or compensation for labor or service in private employments, providing penalties for violations of its provisions, authorizing the director of labor and industries to enforce this act, defining the duties of prosecuting attorneys relative to its enforcement, and providing for the collection of certain penalties by civil action at the direction of such director."

The bill was read the first time, and on motion of Senator Murphy (James A.), 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. 39**, by Senator Nugent, entitled: "An Act relating to, and providing for the funding and refunding of special fund utility warrants and bonds of any incorporated city or town in the State of Washington."

The bill was read the first time, and on motion of Senator Nugent 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 the First Class.

**Senate Bill No. 40**, by Senator Miller, entitled: "An Act relating to public service companies, providing for additional supervision and regulation thereof, and amending Section 92 of Chapter 117 of the Session Laws of 1911, as amended by Section 1 of Chapter 182 of the Session Laws of 1913, as amended by Section 4 of Chapter 165 of the Session Laws of 1933 (Section 10441, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Miller, 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. 41**, by Senator Worum, entitled: "An Act relating to the division of counties into commissioners' districts, providing for re-districting counties periodically and amending Section 2 of Chapter 39 of Session Laws of 1893 (Section 4037, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Worum 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. 42**, by Senators Thomas and Farquharson, entitled: "An Act providing a retirement pension for all persons over fifty years of age as provided in this Act, and creating a board for the purpose of administering this Act and providing means for the payment of said retirement fund."

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 Public Welfare and Unemployment Relief.

**Senate Bill No. 43**, by Senator Miller, entitled: "An Act relating to a general and uniform system of schools, courses of study, textbooks; establishing a state school book commission; providing for uniform courses of study; the selection and distribution of uniform textbooks, their use in all high schools, junior high schools, grammar and primary departments of the public school system of the state; providing that such books shall be printed at the state printing plant and furnished free to pupils at the expense of the districts, and making an appropriation therefor; amending Section 4518 of Remington's Compiled Stat. of Washington; repealing Sections 4893, 4894, 4895, 4896, 4902, 4903, 4904, 4905 and 4905-1 of Remington's Compiled Statutes, and Sections 5088 to 5095 inclusive and 5095-1 of Pierce's Code of State of Washington."

The bill was read the first time, and on motion of Senator Miller, 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. 44**, by Senators Thomas, Ryan (Scott M.), Farquharson, Malstrom, Morrow and Kyle, entitled: "An Act relating to and providing for the nomination and election of the superintendent of public instruction of the State of Washington, and changing the designation of the Judicial Ballot to Judicial and Educational Ballot."

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 Elections and Privileges.

**Senate Bill No. 45**, by Senators Norman and Thein, entitled: "An Act relating to and establishing a primary State Highway to be known as the Twin Harbors Beach Highway in Pacific and Grays Harbor counties."

The bill was read the first time, and on motion of Senator Norman 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. 46**, by Senators Norman and Thein, entitled: "An Act relating to and establishing a primary State Highway and amending Section 1 of Chapter 30 of the Laws of 1931."

The bill was read the first time, and on motion of Senator Norman, 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. 47**, by Senator Duggan, entitled: "An Act declaring the reckless driving of a motor vehicle on a public highway, in the State of Washington, and the motor vehicle so driven, to be a public nuisance, and providing for the seizure and abatement thereof, and providing a procedure therefor, and making the costs of seizure and abatement including storage thereof a first lien on the vehicle."

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. 48**, by Senator Duggan, entitled: "An Act regulating motor vehicles and regulating the operation thereof upon highways of this state, and amending Section 6362-51, Remington's Revised Statutes; and providing penalties for the violation of the provisions herein contained."

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. 49**, by Senators Malstrom, Ryan (J. H.) and Farquharson, entitled: "An Act relating to the selection of jurors in the superior courts of Washington and amending Section 96 of Remington's Compiled 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 Judiciary.

At 11:35 o'clock a. m., on motion of Senator Reardon, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## TENTH DAY

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### MORNING SESSION.

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SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, January 23, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend L. Wendell Taylor of the United Churches of Olympia offered prayer.

The Secretary called the roll, all members being present except Senators Metcalf and Todd, who were excused, and Senator Nugent.

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

The Secretary read:

**Senate Joint Memorial No. 5**, by Senator Norman, petitioning the President of the United States, and the Senate and House of Representatives in Congress for protection of the Forest Products Industries and Labor of the State of Washington.

On motion of Senator Norman, the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials.

Senator Morrow moved that the Senate reconsider the vote by which the appointment of Robert Montgomery as regent of the University of Washington was confirmed.

The motion to reconsider failed to carry.

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 22, 1935.

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

In compliance with Section 72 of Chapter 62 of the Extraordinary Session of 1933, I transmit herewith the first report of the Washington State Liquor Control Board covering the period from its inception on January 27, 1934, until the 31st day of December, 1934.

I am advised by the Washington State Liquor Control Board that this report covers general information and remarks as to the workings of the act within the state as required by paragraph d of Section 72 of said law. Shortly hereafter, I am informed, the Board will submit the balance of its report, printed, including information required under paragraphs a, b, and c of said section. Respectfully submitted,

CLARENCE D. MARTIN,  
*Governor.*

**INTRODUCTION OF BILLS.**

**Senate Bill No. 50**, by Senators Morrow, Miller, Ryan (J. H.), Farquharson, Murphy (J. A.), Thomas, Kerstetter, Bengtson, Dailey, Gannon, Kyle, Roland and Ryan (Scott M.), entitled: "An Act to amend Article 23 of the Constitution of the State of Washington by adding Section 4, providing for amending the Constitution by Initiative petition."

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

**Senate Bill No. 51**, by Senator Orndorff, entitled: "An Act relating to the sale by counties of property acquired for taxes, and amending Section 1 of Chapter 263 of the Laws of 1927 (Section 11294 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 Judiciary.

**Senate Bill No. 52**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act requiring contractor's bond from contractors contracting to do public work, conditioned on faithful performance and to pay laborers, materialmen, and others; providing notice of claim of action against bond and/or lien upon reserve fund; providing action in claimant's own name against bond; amending Sections 1 and 2 of Chapter 28, Session Laws of 1915, and other prior sections; adding a new section; saving bonds furnished and claims filed; declaring an emergency and providing that this act shall become effective on April 1, 1935."

The bill was read the first time, and on motion of Senator Steele 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 Senators Thomas, Roland, Gannon, McAulay and Worum, entitled: "An Act relating to the eligibility of Senators and Representatives employed by the State of Washington."

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. 54**, by Senators Lovejoy and Gannon, entitled: "An Act relating to mutual savings banks and authorizing pensions for employees of such banks."

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.

Former Senator Paul Houser was escorted to the chair beside the President.

**Senate Bill No. 55**, by Committee on Rules and Joint Rules (by executive request), entitled: "An Act creating a Washington State Highway Code, defining terms and creating certain state funds; providing the ownership of vehicles, the licensing of vehicles, the licensing of motor vehicle operators, and providing an excise tax on motor vehicle fuel and for refunds; relating to Federal Aid on public highways, and acquisition of lands for public highway purposes; classifying public highways; providing for the financing, administering, constructing, maintaining and supervising of public highways; providing for the regulation of equipment and operation of vehicles; providing for enforcement; defining offenses and fixing penalties; repealing certain acts and parts of acts, providing constitutionality and declaring an emergency; the details whereof are more fully set forth in Section 1 of this act, which details are incorporated herein."

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

Senator Murphy (James A.) registered a protest stating that copies of Senate Bill No. 55 should have been furnished to the members of the Legislature not later than December 10, 1934, for its consideration prior to the convening of this session.

Senator Ronald moved that 1000 additional copies of Senate Bill No. 55 be printed.

Senator Morrow moved that the motion of Senator Ronald be laid on the table.

The motion to table carried.

Senator Steele moved that the matter of printing additional copies of Senate Bill No. 55 be made a special order of business tomorrow morning under the first order of business.

The motion was carried.

**Senate Bill No. 56**, by Senator Dailey, entitled: "An Act relating to the application of monies received by the state under the provisions of Section 191, Title 30, United States Code, Annotated, and under Section 810, Chapter 12, Title 16, Conservation, as contained in the United States Code, Annotated."

The bill was read the first time, and on motion of Senator Dailey 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. 57**, by Senator Shorett (by departmental request), entitled: "An Act making the state treasurer custodian of federal aid funds, providing for advancements on anticipated reimbursements, and making

appropriation from the motor vehicle fund to be applied in the payment of federal proportion of cost of federal aid road construction, providing for the payment of federal contribution into 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 Shorett, 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 Miller, entitled: "An Act relating to the letting of contracts by this state, or by or through any official or department thereof, and creating a board therefor."

The bill was read the first time, and on motion of Senator Miller, 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. 59**, by Senator Morrow (by departmental request), entitled: "An Act regulating contracts for public improvements, fixing the percentages to be retained for the protection of materialmen, laborers and others, giving a lien thereon, providing for foreclosure thereof, amending Sections 1, 2 and 3 of chapter 166, Session Laws of 1921, declaring an emergency and providing that this act shall become effective April 1, 1935."

The bill was read the first time, and on motion of Senator Morrow 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. 60**, by Senators Ryan (J. H.) and Gannon, entitled: "An Act relating to the granting of relief in certain cases during the emergency declared to exist, from inequitable foreclosure of mortgages on real estate and execution sales of real estate and for postponing certain sales and for extending the periods of redemption from certain others; and relating to the jurisdiction and procedure for such relief and for the right to possession during the extended period, and for limiting the right to maintain actions for deficiency judgments, and for extending the expiration of certain periods of redemption to 30 days after the passage of this act."

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

The President announced the following vice-chairmen of certain committees:

Banks and Banking .....	Senator Murfin
Constitutional Revision .....	Senator Kyle
Educational Institutions .....	Senator Ryan (Scott M.)
Flood Control .....	Senator Garrett
Game and Game Fish .....	Senator Maxwell
Judiciary .....	Senator McAulay
Public Utilities .....	Senator Morrow
Public Welfare and Unemployment Relief.....	Senator Dalley
Revenue and Taxation .....	Senator Orndorff
Roads and Bridges .....	Senator Nelson
Appropriations .....	Senator Malstrom
Financial Institutions Other Than Banks.....	Senator Miller
Liquor Control .....	Senator Thein
Fisheries .....	Senator Ryan (J. H.)
Industrial Insurance .....	Senator McMillan
Railroads and Transportation .....	Senator Murphy (Kebel)

Senator Peirce moved that the rules be suspended and that the vice-chairmen of the various committees as announced by the President be confirmed by the Senate.

The motion was carried.

At 11:08 o'clock a. m. on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## ELEVENTH DAY

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### MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, January 24, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend L. Wendell Taylor of the United Churches of Olympia offered prayer.

The Secretary called the roll, all members being present except Senators Metcalf and Todd who were excused.

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

The Secretary read:

**Senate Concurrent Resolution No. 4**, by Senator Garrett: Amending Joint Rule No. 19.

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

The Secretary read:

**Senate Joint Memorial No. 6**, by Senator Thomas: Relating to pamphlets relative to national parks and monuments and other places of scenic beauty and historical interest.

Senator Thomas moved that the rules be suspended, the memorial be read the second time by title; read the third time and be placed on final passage.

Senator Tewksbury moved that Senate Joint Memorial No. 6 be made a special order of business tomorrow morning under the first order of business.

The motion was carried.

Senator Miller moved that copies of all resolutions be placed on the desks of the members of the Senate before convening on the day said resolutions are to be considered.

The motion was carried.

**SPECIAL ORDER.**

The President announced that the hour for the special order having arrived, the Senate would proceed to consider the motion of Senator Ronald to print 1,000 additional copies of Senate Bill No. 55.

Senator Ronald moved that a total of 1,700 copies of Senate Bill No. 55 be printed.

Senators Nelson, Maxwell, Morrow, Murphy (Kebel), Kyle, Murphy (James A.), McAulay and Shorett demanded a roll call on the motion of Senator Ronald.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumbheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, McAulay, Mehner, Miller, Murfin, Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Worum—28.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, McMillan, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Ryan (J. H.), Ryan (Scott M.), Thomas—15.

Absent or not voting: Senators Metcalf, Reardon, Todd—3.

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., January 18, 1935.

MR. PRESIDENT:

We, your Committee on Claims and Auditing, beg leave to report the following miles of travel and amount due each member as mileage in coming to and from this session of the Legislature, and recommend that the several amounts be allowed:

NAME	POSTOFFICE	COUNTY	Miles	Amount
Barnes, F. G.	Longview	Cowlitz, Wahkiakum	166	\$16 60
Bengtson, J. D.	Chimacum	Mason, Jefferson, Clallam	240	24 00
Brunton, E. L.	Walla Walla	Walla Walla	694	69 40
Dalley, James	Seattle	King (in part)	147	14 70
Dawson, W. C.	Seattle	King (in part)	147	14 70
Drumbheller, Joseph	Spokane	Spokane (in part)	858	85 80
Duggan, Fred S.	Spokane	Spokane (in part)	858	85 80
Farquharson, Mary	Seattle	King (in part)	147	14 70
Ferryman, John H.	Wenatchee	Chelan	477	47 70
Gannon, Geo. H.	Pullman	Whitman	992	99 20
Garrett, C. Nifty	Sumner	Pierce (in part)	93	9 30
Keller, J. P.	Odessa	Adams, Ferry, Lincoln	654	65 40
Kerstetter, G. B.	Tacoma	Pierce (in part)	67	6 70
Knutzen, W. J.	Burlington	Skagit, San Juan	288	28 80
Kyle, H. I.	Enumclaw	King (in part)	136	13 60
Lovejoy, Geo. A.	Seattle	King (in part)	147	14 70
Malstrom, Kathryn E.	Tacoma	Pierce (in part)	67	6 70
Maxwell, Earl	Seattle	King (in part)	147	14 70
McAulay, Geo. F.	Yakima	Yakima (part City District)	386	38 60
McMillan, David E.	Colville	Stevens, Pend Oreille	980	98 00
Mehner, Paul	Bremerton	Kitsap	277	27 70
Metcalf, Ralph	Tacoma	Pierce (in part)	67	6 70
Miller, Edmund J.	Seattle	King (in part)	147	14 70
Morrow, P. Frank	Seattle	King (in part)	147	14 70
Murfin, A. M.	Sunnyside	Yakima (in part)	458	45 80
Murphy, James A.	Seattle	King (in part)	147	14 70
Murphy, Kebel	Spokane	Spokane (in part)	858	85 80
Nelson, H. L.	Vancouver	Clark	256	25 60

NAME	POSTOFFICE	COUNTY	Miles	Amount
Norman, Fred.....	Raymond.....	Pacific and 17 Grays Harbor Precincts..	184	18 40
Nugent, Dr. D. O.....	Centralia.....	Lewis.....	72	7 20
Orndorff, W. R.....	Spokane.....	Spokane (in part).....	858	85 80
Peirce, Ed.....	Opportunity.....	Spokane (in part).....	878	87 80
Reardon, Keiron W.....	Monroe.....	Camano Island of Island County and part Snohomish.....	242	24 20
Roland, S. C.....	Bellingham.....	Whatcom (in part) City District.....	350	35 00
Ronald, Walter G.....	Ellensburg.....	Grant, Kittitas.....	337	33 70
Ryan, J. H.....	Tacoma.....	Pierce (in part).....	67	6 70
Ryan, Scott M.....	Lynden.....	Whatcom (in part) County District.....	380	38 00
Shorett, Judson W.....	Seattle.....	King (in part).....	147	14 70
Smith, Horace E.....	Omak.....	Okanogan, Douglas.....	706	70 60
Steele, E. N.....	Olympia.....	Thurston.....		
Stinson, Chas. F.....	Pasco.....	Benton, Franklin, Kllickitat, Skamania, Island (except Camano Island and part of Snohomish).....	568	56 80
Tewksbury, L. E.....	Everett.....		212	21 20
Thein, J. W.....	Aberdeen.....	Grays Harbor except 17 Precincts.....	100	10 00
Thomas, Paul G.....	Seattle.....	King (in part).....	147	14 70
Todd, Chas. H.....	Seattle (RFD).....	King (in part).....	171	17 10
Worum, John F.....	Clarkston.....	Asotin, Garfield, Columbia.....	1,052	105 20

J. P. KELLER, *Chairman.*

We concur in this report: John H. Ferryman, James A. Murphy, Earl Maxwell, Edmund J. Miller.

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

The Secretary read:

**MESSAGE FROM THE SECRETARY OF STATE.**

DEPARTMENT OF STATE, Office of the Secretary,  
OLYMPIA, January 23, 1935.

*To the Honorable, the President of the Senate,*

*The Legislature of the State of Washington, Olympia, Washington.*

DEAR SIR:

Replying to your letter of January 22, we acknowledge receipt of proposed Initiative measure No. 5, which we will hold subject to your order. Respectfully,

ERNEST N. HUTCHINSON,

*Secretary of State,*

By CHARLES B. REED,

*Assistant Secretary of State.*

The Secretary read:

**MESSAGE FROM THE SECRETARY OF STATE.**

DEPARTMENT OF STATE, Office of the Secretary,  
OLYMPIA, WASH., January 23, 1935.

*To the Honorable President of the Senate and Speaker of the House of Representatives,  
The Legislature of the State of Washington, Olympia, Washington.*

GENTLEMEN:

I hereby tender to you all Jail Reports of the several sheriffs of the state which have been submitted to me in accordance with the provisions of the law, as set forth in Section 10197 of Remington's Revised Statutes of the State of Washington.

Respectfully,

ERNEST N. HUTCHINSON,

*Secretary of State,*

By CHARLES B. REED,

*Assistant Secretary of State.*

The Secretary read:

**MESSAGES FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 23, 1935.

MR. PRESIDENT:

The Speaker has signed House Concurrent Resolution No. 1; also House Concurrent Resolution No. 2; also House Concurrent Resolution No. 3; also House Joint Memorial No. 4; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 24, 1935.

MR. PRESIDENT:

The House has passed House Joint Memorial No. 10, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 23, 1935.

MR. PRESIDENT:

The House has passed Senate Joint Memorial No. 1 with the following amendment: "Amend lines 23 and 24, page 2, of the original Memorial, being line 10, page 2, of the printed Memorial, strike the words 'The Secretary of State of the State of Washington,' and insert in lieu thereof the words 'The Secretary of the Senate of the Washington State Legislature,'" and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Lovejoy moved that the Senate do concur in the House amendment to Senate Joint Memorial No. 1.

The motion carried.

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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas—41.

Those voting nay were: Senator Knutzen—1.

Absent or not voting: Senators Metcalf, Reardon, Todd, Worum—4.

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

The President announced he was about to sign House Concurrent Resolutions Nos. 1, 2 and 3 and House Joint Memorial No. 4.

**INTRODUCTION OF BILLS.**

**Senate Bill No. 61**, 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 14, of Chapter 185 of the Laws of 1923 as amended."

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. 62**, by Senator Gannon, entitled: "An Act relating to election; the publication of initiative or referendum measures, constitutional amendments and measures recommending constitutional conventions; and amending Section 5423 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Gannon 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. 63**, by Senators Garrett and Kyle, entitled: "An Act directing the state director of highways to make, supervise, examine and to report upon examination as to the most feasible site herein directed for a vehicular tunnel in the Cascade mountains."

The bill was read the first time, and on motion of Senator Garrett 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. 64**, by Senators Stinson and Nelson, entitled: "An Act relating to public highways, creating and establishing a primary state highway to be known as State Road No. 8, or the Evergreen Highway, and amending Section 7, Chapter 185 of the Session Laws of 1923 (Section 6791-7, Remington's Revised Statutes), and amending Section 1, Chapter 56 of the Session Laws of 1933 (Section 6791-7a, 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 Roads and Bridges.

**Senate Bill No. 65**, by Senators Norman, Thein and Steele, 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 Norman 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. 66**, by Senators Norman and Barnes, entitled: "An Act relating to and establishing a primary State Highway and amending Section 11 of Chapter 185, of the Laws of 1923."

The bill was read the first time, and on motion of Senator Norman 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. 67**, by Senators Norman and Thein, entitled: "An Act authorizing and directing the Director of Highways of the State of Washington to assume, take charge of and pay the cost of operation, maintenance, reconstruction and repair of all bridges and streets within the city limits of any municipality in the State of Washington which are now or which may hereafter become a part of any primary highway or highways running through said city, provided such municipal corporation shall, by resolution, irrevocably waive and surrender its right to receive the five hundred dollars (\$500.00) per mile provided for such municipal corporation for maintenance of state highways within such city."

The bill was read the first time, and on motion of Senator Norman 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. 68**, by Senator Dailey (by request), entitled: "An Act relating to wages and rebates therefrom, defining offenses, providing penalties, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Dailey 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.

Senator Steele moved that 700 copies of Senate Bill No. 68 be printed.

The motion was carried.

**Senate Bill No. 69**, by Senator Lovejoy, entitled: "An Act relating to the deposit of moneys and assets held by bonded fiduciaries, and providing for agreements between surety and fiduciary as to place of deposit of such funds and assets."

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. 70**, by Senator Miller, entitled: "An Act providing for the regulation and supervision of the issuance and sale of certain securities, as the same are herein defined, to prevent fraud in the sale thereof, providing penalties and repealing Chapter 69 of the Laws of 1923 and Chapter 133 of the Laws of 1929."

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

At 11:40 o'clock a. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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**TWELFTH DAY**

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**MORNING SESSION**

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SENATE CHAMBER,  
OLYMPIA, WASH., Friday, January 25, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers pursuant to adjournment.

Reverend L. Wendell Taylor, of the United Churches of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senators Metcalf and Todd, who were excused, and Senator Knutzen.

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

The Secretary read:

**SENATE RESOLUTION.**

By Senators Roland and Ryan (Scott M.):

WHEREAS, Numerous charges have been made of discrimination against many carriers, favoring certain carriers, irregularities, misappropriations and the usurpation of legislative powers by the department of public works; and

WHEREAS, There is a strong public demand for an investigation of the many charges hereinabove set forth; now therefore

*Be It Resolved*, By the Senate of the State of Washington, that the public utilities committee of the Senate conduct a thorough investigation of the department of public works and its divisions with reference to the conduct, control and management thereof, and particularly its conduct, management and use of the powers and funds vested in it by Chapter 166 of the Session Laws of 1933 and amendments; and

*Be It Further Resolved*, That said committee shall be authorized to subpoena and examine witnesses, compel the attendance of witnesses, administer oaths and compel the production of books and papers of officials or persons connected with said department of public works, and compel any person or persons in charge of said department or any subdivision thereof to submit to said committee for investigation and examination all the reports, vouchers, books, accounts, papers and all other documents in said department regarding the conduct and management thereof; and

*Be It Further Resolved*, That said committee shall have the power to employ such clerks, investigators, auditors or accountants as they may consider necessary for the purpose of said investigation and examination, and that the pay of such clerks, investigators, auditors and accountants, together with witness fees, if any, be paid out of the moneys already appropriated for the expenses of the twenty-fourth legislative session of 1935, upon vouchers signed and approved by the president and secretary of the Senate or any other authorized officer thereof; and

*Be It Further Resolved*, That said committee make such investigation forthwith, and upon the completion of said examination and investigation, make its report thereof to the Senate.

Senator Ryan (Scott M.) moved that the Senate Resolution be adopted.

Senator Duggan moved that the Senate Resolution be laid on the table.

Senators Nelson, Thomas, Ryan (J. H.), Farquharson, Morrow, Miller, Duggan and Kyle demanded a roll call on the motion by Senator Duggan that the Senate Resolution be laid on the table.

The Secretary called the roll on the motion by Senator Duggan that the Senate Resolution be laid on the table, and the motion lost by the following vote:

Those voting aye were: Senators Duggan, Maxwell, Nelson, Orndorff, Reardon, Ronald, Steele, Thein—8.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thomas, Worum—35.

Absent or not voting: Senators Knutzen, Metcalf, Todd—3.

Senator McAulay moved the adoption of the following amendment to the Senate Resolution:

Amend paragraph 5 by striking out that part following the word "upon" in line 29 and substituting the words "statements or bills approved by the chairman of the Committee on Public Utilities."

The motion carried.

Senator Lovejoy moved the adoption of the following amendment to the Senate Resolution:

Amend paragraph 3 by inserting after the word "appropriated" the words "not exceeding \$200.00."

The motion carried.

On motion of Senator Roland, the Senate Resolution, as amended, was adopted.

The Secretary read:

**House Joint Memorial No. 10**, by Mr. McDonald (Donald A.): Urging continuation of the Home Owners' Loan Corporation relief to Home Owners.

Senator Malstrom moved that the rules be suspended, House Joint Memorial No. 10 be read the second time by title; read the third time and be placed on final passage.

Senator Miller moved that House Joint Memorial No. 10 be made a special order of business on the next legislative day of the Senate at 11:00 o'clock a. m.

At 10:40 o'clock a. m., on motion of Senator Ryan (J. H.), the Senate recessed until 10:43 o'clock a. m.

The Senate reconvened at 10:43 o'clock a. m.

Senator Murphy (James A.) moved that the motion of Senator Miller to make the House Joint Memorial No. 10 a special order of business be laid on the table.

The motion was lost.

The President stated that the question was on the motion by Senator Miller that House Joint Memorial No. 10 be made a special order of business on the next legislative day.

The motion by Senator Miller carried.

**SPECIAL ORDER.**

The President stated that the hour for the special order having arrived, the Senate would proceed to consider Senate Joint Memorial No. 6 which was a special order for this time.

On motion of Senator Ryan (J. H.), the special order was deferred to the next legislative day.

The Secretary read:

(Postal Telegraph Night Letter),  
WASHINGTON, D. C., January 24, 1935.

HONORABLE J. H. RYAN,

*State Senate, Olympia, Washington:*

What may we expect respecting cooperation by state in creating public power transmission lines as provided in Joint House Resolution 5 with which you are familiar, so that we may assure administration of adequate assistance from state in matter of power distribution if and when funds made available for Grand Coulee. Many expressions of willingness to cooperate on Coulee appreciated, but lacking in vital guarantee that power produced will as far as possible be transmitted through public agencies such as contemplated by this constitutional amendment to assure lowest possible price to ultimate consumer. We think earliest possible passage this resolution one of most important steps state can take to demonstrate absolute good faith with government and assist us in our efforts in behalf of full development at Grand Coulee.

HOMER T. BONE,  
LEWIS B. SCHWELLENBACH,  
*U. S. Senators.*

On motion of Senator Steele, the message was ordered spread upon the journal.

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., January 23, 1935.

MR. PRESIDENT:

We, your Committee on Public Utilities to whom was referred Senate Bill No. 40, entitled: "An Act relating to public service companies, providing for additional supervision and regulation thereof, and amending Section 92 of Chapter 117 of the Session Laws of 1911, as amended by Section 1 of Chapter 182 of the Session Laws of 1913, as amended by Section 4 of Chapter 165, of the Session Laws of 1933 (Section 10441, 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.

ED. PEIRCE, *Chairman.*

We concur in this report: Paul G. Thomas, Kebel Murphy, S. C. Roland, John F. Worum, P. Frank Morrow, Geo. F. McAulay, J. H. Ryan, D. E. McMillan.

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

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 24, 1935.

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

LADIES AND GENTLEMEN:

I have the honor to transmit herewith the report of activities and expenditures of the Emergency Relief administration covering the period from January, 1933, to December, 1934, inclusive.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor.*

**INTRODUCTION OF BILLS.**

**Senate Bill No. 71**, by Senator Tewksbury, entitled: "An Act relating to the painting of motor vehicles used in the transportation of school children, and providing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Tewksbury 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. 72**, by Senator Worum, entitled: "An Act relating to and establishing a primary state highway in Asotin County."

The bill was read the first time, and on motion of Senator Worum 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. 73**, by Senator Murfin, entitled: "An Act relating to justice courts, fixing the venue of civil actions therein, and amending Section 1 of Chapter 75 of the Laws of 1929."

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. 74**, by Senators Morrow, Kyle, Kerstetter, Murfin, Ryan (Scott M.), Roland, Dailey, Farquharson, Malstrom, Worum and Ferryman, entitled: "An Act providing for the amendment of Article VII, Section 1 of the Constitution of the State of Washington, by granting power to the legislature to divide, segregate and classify all the wealth of the state for the purpose of levying varying rates of taxation upon the different classified properties."

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

**Senate Bill No. 75**, by Senator Mehner, entitled: "An Act establishing a branch of State Road No. 21."

The bill was read the first time, and on motion of Senator Mehner 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 Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to the organization, management and supervision of savings and loan association; authorizing associations to procure mortgage insurance from the Federal Housing Administration and savings insurance from the Federal Savings and Loan Insurance Corporations; enabling such associations to correlate with the Federal Housing Administration under Titles II, III and IV of the National Housing Act; authorizing associations to cancel notices of withdrawal; amending Sections 47, 49, 56, 78 and 112 of Chapter 183, Laws of 1933, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Steele 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.

On motion of Senator Lovejoy, 700 copies of Senate Bill No. 76 were ordered printed.

**Senate Bill No. 77**, by Senator Nugent, entitled: "An Act relating to and providing for Firemen's Relief and Pension Funds in certain incorporated cities and towns of the State, providing for the maintenance and distribution of such funds and designating the beneficiaries thereof, defining the powers and duties of certain officials, and amending Section 1 of Chapter 196 of the Laws of 1919, and Sections 4, 5, 7, 8, 9, 14, 15, 17, 18 and 19 of said Chapter as amended."

The bill was read the first time, and on motion of Senator Nugent 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 McAulay, entitled: "An Act relating to garnishment and the exemption therefrom of salaries of elective public officers, and of wages or salaries for personal services; and amending Section 23 of Chapter LVI (56) of the Laws of 1893 as amended by Section 1 of Chapter 139 of the Laws of 1901 as amended by Section 1 of Chapter 287 of the Laws of 1933, being Section 703 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 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. 79**, by Senators Kerstetter, Morrow, Ryan (J. H.), Thomas, Roland, Kyle, Dailey, and Malstrom, entitled: "An Act relating to industrial insurance and the care of injured workmen and amending Sections 7687, 7703 and 7726 of Remington's Compiled Statutes and Sections 7686, 7712, 7714 and 7725 of Remington's 1927 Supplement."

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 Industrial Insurance.

On motion of Senator Malstrom, 500 additional copies of Senate Bill No. 3 and 500 additional copies of Senate Bill No. 8 were ordered printed.

At 11:07 o'clock a. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. Monday.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FIFTEENTH DAY

### MORNING SESSION

SENATE CHAMBER,

OLYMPIA, WASH., Monday, January 28, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers pursuant to adjournment.

Reverend Walter G. Comin, of the First United Presbyterian Church of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senator Metcalf, who was excused, and Senator Ryan (J. H.)

On motion of Senator Kerstetter, Senator Ryan (J. H.) was excused.

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

The Secretary read:

### SENATE RESOLUTION.

By Senator Lovejoy:

WHEREAS, It has been the custom at each and every regular session of the Washington State Legislature to have taken and preserved the photographs of the members, taken individually but assembled in group form; and

WHEREAS, The Jeffers Studio of Olympia has, since Statehood, performed this service, so that there is now in the archives of the state a large group photo of all the members of each session to date; and

WHEREAS, This is done at no individual cost to the members except for such reduced size copies as may be desired and ordered; and

WHEREAS, It is desirable that each member of this session visit the studio at an early date to permit completion of the work;

*Now, Therefore, Be It Resolved*, By the Senate of the twenty-fourth session of the Washington State Legislature, that the Secretary be and he hereby is authorized to provide each member of the Senate with an order for the requisite sitting at Jeffers Studio, which is hereby designated as Official Photographer for this session.

On motion of Senator Lovejoy, the resolution was adopted.

The Secretary read:

**Senate Joint Memorial No. 7**, by Senator Norman: Relating to the repeal of Public No. 2 of the National Economy Act in so far as it reduces veterans' pensions and allowances.

The memorial was read the first time, and on motion of Senator Norman 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:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., January 24, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Joint Memorial No. 1, relating to the Grand Coulee Dam and Irrigation project, have compared same with the Engrossed Memorial and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, David E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., January 22, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 17, entitled: "An Act to adopt Remington's Revised Statutes of Washington as an official compilation of the laws of this state, and relating to additions and amendments 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.

E. N. STEELE, *Chairman.*

We concur in this report: James A. Murphy, Ed. Peirce, Chas. F. Stinson, John F. Worum, Geo. F. McAulay, Fred S. Duggan, H. I. Kyle, A. M. Murfin, E. L. Brunton, Judson W. Shorett.

On motion of Senator Steele the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., January 24, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 4, entitled: "An Act relating to the passage of ordinances by cities and authorizing cities to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects, together with amendments and additions thereto: *Provided*, Not less than three printed copies of such code or codes, or amendments or additions thereto, in book form, have been filed with the clerk prior to the taking effect thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman.*

We concur in this report: John F. Worum, Fred S. Duggan, Chas. F. Stinson, James A. Murphy, H. I. Kyle, Geo. F. McAulay, Judson W. Shorett, A. M. Murfin, Ed. Peirce, E. L. Brunton.

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

The Committee on Judiciary recommended that Senate Bill No. 13 do pass with certain amendments.

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

A majority of the Committee on Judiciary recommended that Senate Bill No. 33 do pass.

A minority of the Committee on Judiciary recommended that Senate Bill No. 33 do not pass.

The reports of the committee together with the bill were placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., January 24, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 6, entitled: "An Act relating to the welfare of minor children, their care, custody, control and adoption, and providing penalties for violation thereof; and repealing Chapter 62 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 Substitute Senate Bill No. 6 be substituted therefor and that it do pass.

E. N. STEELE, *Chairman.*

We concur in this report: Fred S. Duggan, James A. Murphy, H. I. Kyle, Geo. F. McAulay, Judson W. Shorett, A. M. Murfin, John F. Worum.

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

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 25, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 67, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION OF BILLS.**

**Senate Bill No. 80**, by Senator Gannon, entitled: "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to limit the length of freight and passenger trains and prescribing a penalty for the violation thereof."

The bill was read the first time, and on motion of Senator Gannon 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. 81**, by Senator McMillan (by request), entitled: "An Act relating to the welfare of dependent and delinquent children; and amending Section 1987-3, Remington's Compiled Statutes of Washington."

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. 82**, by Senator Ronald, entitled: "An Act providing for the amendment of Section 23 of Article 2 of the Constitution of the State of Washington by providing compensation for the members of the legislature."

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

**Senate Bill No. 83**, by Senators Farquharson, Morrow, Kyle and Gannon, entitled: "An Act providing for instruction in public service in the University of Washington and in the Washington State College."

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 Educational Institutions.

**Senate Bill No. 84**, by Senator Mehner, entitled: "An Act authorizing and directing the Washington State Highway Department and the Depart-

ment of Public Works to make a survey and valuation of the toll bridge across Sinclair's Inlet from Bremerton to East Bremerton and providing for the purchase of said toll bridge by the State of Washington."

The bill was read the first time, and on motion of Senator Mehner 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. 85**, by Senators Malstrom, Kerstetter and Miller, entitled: "An Act relating to drugs and medicine; regulating the sale and dispensing thereof; requiring licenses and registrations for the privilege of selling, dispensing and compounding the same, and fixing fees therefor; creating a state board of pharmacy, and prescribing their powers and duties with respect thereto; prescribing penalties; amending Sections 10, 11, 13 and 17-c of Chapter CXXI (121), Laws of 1899; repealing all acts and parts of acts in conflict therewith; and making an appropriation."

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 Medicine, Dentistry, Pure Foods and Drugs.

**Senate Bill No. 86**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to banks and trust companies other than mutual savings banks; providing for separate accounts for savings deposits and the repayment thereof; repealing Sections 11 to 18, inclusive, Chapter 42, Laws of 1933 (Remington's Revised Statutes, 3244-1 to 3244-3, both inclusive, 3245, 3245-1 and 3246; Pierce's Washington Code 287-1, 287-3, 288, 288-1, 289 and 289-1.)"

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

On motion of Senator Peirce, the usual number of 700 copies of Senate Bill No. 86 were ordered printed.

**Senate Bill No. 87**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds, and amending Sections 23, 27, 30, 33, 37, 52, 55, 62, 69, 70, 71, 72, 90, 92, and 93 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Sections 7306-23, 7306-27, 7306-30, 7306-33, 7306-37, 7306-52, 7306-55, 7306-62, 7306-69, 7306-70, 7306-71, 7306-72, 7306-90, 7306-92, and 7306-93 of Remington's Revised Statutes."

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

On motion of Senator Miller, the usual number of 700 copies of Senate Bill No. 87 were ordered printed.

**Senate Bill No. 88**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to banks, trust companies and mutual savings banks; providing for the issuance of capital notes or debentures; defining the meaning thereof and construing the term capital as used

herein; providing such capital notes and debentures shall be subordinate to depositors and other creditors; that capital stock may be carried on the books at less than par; that no assessment shall be levied upon the holders of capital notes or debentures; repealing all acts and parts of acts in conflict herewith."

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

On motion of Senator Miller, the usual number of 700 copies of Senate Bill No. 88 were ordered printed.

**Senate Bill No. 89**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to banks and trust companies; providing for the repayment of sums deposited with the state treasurer as superadded liability of stockholders; repealing Section 4, Chapter 42, Laws of 1933 (Remington's Revised Statutes, Section 3229-2; Pierce's Washington Code section)."

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

On motion of Senator Miller, the usual number of 700 copies of Senate Bill No. 89 were ordered printed.

Senator Steele moved that 700 copies of all bills presented through the Rules and Joint Rules Committee, either by departmental or executive request, be printed.

The motion carried.

**Senate Bill No. 90**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to floods, the alleviation of damage therefrom, and the regulatory control thereof, placing the administration of this act under the state supervisor of hydraulics, prescribing his authority and duties thereunder, and declaring an emergency."

The bill was read the first time, and on motion of Senator Steele, 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. 91**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to intoxicating liquors, providing for the disposition of public funds, repealing Section 76 and amending Section 77 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington (Sec. 7306-76 and 77, Rem. Rev. Stat.), and declaring that this Act shall take effect immediately."

The bill was read the first time, and on motion of Senator Steele, 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. 92**, by Senator Gannon, entitled: "An Act relating to a system of student fees in the State College of Washington and providing for the collection and disposition of the same exemptions therefrom, and amending Sections one and two, three and four of Chapter 164 of the Laws of 1921 and repealing Section 1 of Chapter 9 of the Laws of the Extraordinary Session of 1909."

The bill was read the first time, and on motion of Senator Gannon 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. 93**, by Senator Reardon, entitled: "An Act relating to intoxicating liquors, providing for distribution of the funds received therefrom, and amending Section 78 of Chapter 62 of the Laws Extraordinary Session 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 Liquor Control.

**Senate Bill No. 94**, by Senator Reardon, entitled: "An Act relating to probation, parole and sentencing, repealing Sections 10803, 10247-9, 10291, 2278, 2281 and 2282 of Remington's Compiled Statutes, 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 State Penal and Reformatory Institutions.

**Senate Bill No. 95**, by Senator McMillan, entitled: "An Act relating to taxation, prescribing penalties for violation thereof, and amending Section 11, Chapter 130, of the Extraordinary Session 1925."

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 Revenue and Taxation.

**Substitute Senate Bill No. 6**, by Committee on Judiciary, entitled: "An Act relating to the welfare of minor children, their care, custody, control and adoption, and providing penalties, adding to Chapter 62 of the Laws of 1933 a new section to be numbered Section 4."

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

**Engrossed House Bill No. 67**, by Mr. Yantis, entitled: "An Act relating to the State Law Library and providing for a Legislative and Municipal Reference Bureau as a part thereof; making an appropriation and providing that this act shall take effect immediately."

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

The President announced that he was about to sign Senate Joint Memorial No. 1.

#### SPECIAL ORDER.

The President announced that the hour for the special order of business having arrived, the Senate would proceed to consider House Joint Memorial No. 10.

On motion of Senator Maxwell, House Joint Memorial No. 10 was referred to the Committee on Memorials.

**SPECIAL ORDER.**

The President announced that the hour for the special order of business having arrived, the Senate would proceed to consider Senate Joint Memorial No. 6.

On motion of Senator Murphy (James A.), Senate Joint Memorial No. 6 was made a special order of business for Thursday morning.

On motion of Senator Reardon, the rules were suspended and the Senate referred back to the first order of business.

On motion of Senator Reardon, Senate Concurrent Resolution No. 2 was taken from the Committee on Claims and Auditing and returned to the Senate.

The Secretary read:

**Senate Concurrent Resolution No. 2**, by Senator Reardon: Relating to appointment of a committee to meet with the Governor and State Auditor for the purpose of discussing the simplification and strengthening of the State Auditing System.

On motion of Senator Reardon, the rules were suspended, the resolution read the second time by title, read the third time and placed on final passage.

The Secretary called the roll on the adoption of Senate Concurrent Resolution No. 2 and it was adopted by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—43.

Absent or not voting: Senators Metcalf, Ryan (J. H.), Todd—3.

The resolution, having received the constitutional majority, was declared adopted.

On motion of Senator Reardon, the rules were suspended and the resolution was ordered immediately transmitted to the House.

At 10:50 o'clock a. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## SIXTEENTH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, January 29, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Walter G. Comin of the First United Presbyterian Church of Olympia offered prayer.

The Secretary called the roll, all members being present except Senators Metcalf and Todd, who were excused.

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

The Secretary read:

**Senate Joint Memorial No. 8**, by Senator Norman: Relating to the petitioning of the President and the Congress of the United States to provide adequate facilities at Soap Lake, Washington, for the care of all Veterans afflicted with Buerger's disease.

On motion of Senator Ryan (J. H.), the rules were suspended, the memorial 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 Memorial No. 8 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquaharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—44.

Absent or not voting: Senators Metcalf, Todd—2.

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

On motion of Senator Ronald, Senate Joint Memorial No. 8 was ordered immediately transmitted to the House.

### SENATE JOINT MEMORIAL NO. 6.

On motion of Senator Thomas, consideration of Senate Joint Memorial No. 6, which was made a special order of business for Thursday morning, was advanced to this time.

Senator Murphy (Kebel) moved that Senate Joint Memorial No. 6 be indefinitely postponed.

Senator Peirce moved that the motion of Senator Murphy (Kebel) be laid on the table.

The motion of Senator Peirce carried.

On motion of Senator Reardon the rules were suspended, the memorial was read the second time by title, read the third time, and placed on final passage.

Senator Miller entered a protest upon this method of procedure of passing memorials.

Senators Thomas, Kyle and Morrow demanded the previous question. The previous question was ordered.

Senators Ryan (J. H.), Murphy (Kebel), Morrow, Kerstetter, Duggan, Worum, Kyle and Gannon demanded a roll call on Senate Joint Memorial No. 6.

The Secretary called the roll on Senate Joint Memorial No. 6, and it failed to pass by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Lovejoy, Malstrom, McAulay, McMillan, Murfin, Nelson, Norman, Nugent, Peirce, Reardon, Roland, Ronald, Shorett, Smith, Steele, Stinson, Thomas, Worum—22.

Those voting nay were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Maxwell, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Orndorff, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thein—22.

Absent or not voting: Senators Metcalf, Todd—2.

The memorial, having failed to receive the constitutional majority, was declared lost.

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., January 28, 1935.

#### MR. PRESIDENT:

We, your Committee on Rules and Order, to whom was referred the Governor's Message, delivered to the twenty-fourth session of the Legislature, January 16, 1935, have had the same under consideration and recommend the several reports and recommendations therein contained be re-referred to the standing committees as follows:

- Agricultural Adjustment Act—p. 12: To Committees on Agriculture, Dairy and Livestock, and Horticulture.
- Building Program—p. 11: To Committees on Revenue and Taxation, and Appropriations.
- Bulb Industry—p. 12: To Committees on Memorials, and Agriculture.
- Civilian Conservation Corps—p. 16: To Committees on Memorials, and Public Welfare and Unemployment Relief.
- Columbia Basin Project—p. 19: To Committee on Reclamation and Irrigation, Dikes, Drains and Ditches.
- Code Department Consolidation—p. 29: To Committee on Judiciary.
- Crime and State Patrol—p. 15: To Committee on Judiciary.
- Education—pp. 24, 25: To Committees on Education, and Educational Institutions.
- Fisheries—p. 17: To Committee on Fisheries.
- Flood Control—p. 18: To Committee on Flood Control.
- Funds Investment—p. 13: To Committee on Banks and Banking.
- Gasoline Funds Diversion—p. 20: To Committee on Roads and Bridges.
- Gasoline Investigation—p. 21: To Committee on Commerce and Manufacturing.
- Public Health—p. 16: To Public Welfare and Unemployment Relief.
- Highway Code—p. 20: To Committee on Roads and Bridges.
- Liquor Control—pp. 11, 22, and 23: To Committee on Liquor Control.
- Narcotics—p. 22: To Committee on Public Welfare and Unemployment Relief.
- Pensions—p. 28: To Committee on Revenue and Taxation.

Relief—pp. 8, 25, 26, 27, 28, and 29: To Committees on Revenue and Taxation, and Public Welfare and Unemployment Relief.  
 Scenic Resources—p. 16: To Committee on Parks and Playgrounds.  
 State Planning—p. 23: To Committee on Commerce and Manufacturing.  
 Taxation—pp. 9, 30, and 31: To Committee on Revenue and Taxation.  
 Unemployment Insurance—p. 29: To Committee on Labor and Labor Statistics.  
 Public Utilities—p. 21: To Committee on Public Utilities.

On motion of Senator Murphy (James A.), the Code Department Consolidation was referred to the Committee on Public Welfare instead of to the Committee on Judiciary.

On motion of Senator Nelson, the Building Program was referred to the Committee on Buildings and Grounds instead of to the Committees on Revenue and Taxation and Appropriations.

On motion of Senator Steele, the report of the Rules Committee was adopted, with the above changes.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., January 28, 1935.

MR. PRESIDENT:

The Speaker has signed House Joint Memorial No. 7; also  
 Senate Joint Memorial No. 1; also

The House has passed Engrossed House Bill No. 115, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

**Senate Bill No. 96**, by Senators Farquharson, Morrow, Kyle and Malmstrom, entitled: "An Act relating to the holding and disposition of community property; amending Sections 6892 and 6893 of Remington's Compiled Statutes of Washington (1921), and repealing all laws and parts of law 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 Judiciary.

**Senate Bill No. 97**, by Senators Maxwell, Ryan (J. H.), Ronald and Nugent, entitled: "An Act relating to and providing for the security of the payment of wages to workers in coal mines, providing for the administration thereof, providing penalties for violation thereof and making an appropriation."

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 Labor and Labor Statistics.

**Senate Bill No. 98**, by Senator McMillan, entitled: "An Act relating to certificates of sale and deeds for land sold for assessments of irrigation districts and amending Section 7448 of Remington's Compiled 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 Judiciary.

**Senate Bill No. 99**, by Senator Murphy (James A.), entitled: "An Act relating to the custody, testing and preparing of voting machines, and amending Section 5309 of Remington's Compiled Statutes."

The bill was read the first time, and on motion of Senator Murphy (James A.), 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. 100**, by Senator Morrow, entitled: "An Act providing for instruction in social economics in the University of Washington and in the Washington State College."

The bill was read the first time, and on motion of Senator Morrow 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. 101**, by Senator Gannon, entitled: "An Act relating to elections and to precinct election boards and the appointment thereof, amending Chapter 29, Laws of Extraordinary Session of 1933, and declaring that this act shall take effect immediately, and adding a new section to be known as Section 1A."

The bill was read the first time, and on motion of Senator Gannon 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. 102**, by Senator Gannon, entitled: "An Act relating to all elections in second and third class school districts in all counties except Class A and first-class counties, repealing certain acts, and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Gannon 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. 115**, by Committee on Education, entitled: "An Act relating to elections and to precinct election boards and the appointments thereof, amending Section 1, of Chapter 29, of the Laws of the Extraordinary Session of 1933, 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 Education.

#### GENERAL FILE.

**Senate Bill No. 33:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., January 24, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 33 entitled: "An Act changing the name of the Department of Public Works to the Department of Public Service and providing that all the powers and duties now exercised by the director and officers of the Department of Public Works be exercised by the director and officers of the Department of Public Service," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman.*

We concur in this report: John F. Worum, Fred S. Duggan, Chas. F. Stinson, H. I. Kyle, Geo. F. McAulay, Judson W. Shorett, A. M. Murfin, Ed. Peirce, E. L. Brunton.

SENATE CHAMBER,  
OLYMPIA, WASH., January 24, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 33 entitled: "An Act changing the name of the Department of Public Works to the Department of Public Service and providing that all the powers and duties now exercised by the director and officers of the Department of Public Works be exercised by the director and officers of the Department of Public Service," 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 A. Murphy.

Senator Roland moved that Senate Bill No. 33 be made a special order of business on Thursday morning.

The motion lost.

The bill was read the third time.

On motion of Senator Reardon, the following amendment was adopted:

Amend Section No. 1 of Senate Bill No. 33, wherever words "Department of Public Service" occur, they are to be capitalized.

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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Worum—38.

Those voting nay were: Senators Gannon, Murphy (James A.), Murphy (Kebel), Roland, Ryan (Scott M.), Thomas—6.

Absent or not voting: Senators Metcalf, Todd—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. 40**, by Senator Miller, entitled: "An Act relating to public service companies, providing for additional supervision and regulation, thereof, and amending Section 92 of Chapter 117 of the Session Laws of 1911, as amended by Section 1 of Chapter 182 of the Session Laws of 1913, as amended by Section 4 of Chapter 165 of the Session Laws of 1933 (Section 10441, Remington's Revised Statutes)," was read the third time.

Senator Miller moved the adoption of the following amendment:

Amend Section No. 92; strike lines 17, 18 and 19 and insert in lieu thereof the following: "The department is hereby authorized to consider, for rate making purposes, the valuations that a public utility places upon its property for assessment purposes. Such valuations for assessment purposes shall be prima facie evidence of the value of said property for rate making purposes."

Senator Morrow moved the adoption of the following amendment to the amendment by Senator Miller:

After the word "department" strike out "is hereby authorized to" and insert in lieu thereof the word "shall."

The motion of Senator Morrow lost.

Senators Miller, Nugent and Morrow demanded the previous question.

The previous question was ordered.

The amendment by Senator Miller was adopted.

Senator Drumheller moved that Senate Bill No. 40, with the amendment, be re-referred to the Committee on Public Utilities.

Senator Miller moved that the motion of Senator Drumheller be laid on the table without taking either the bill or the amendment with it.

The motion of Senator Miller lost.

Senators Murphy (Kebel), Nelson, Kyle, Morrow, Ryan (J. H.), Miller, Tewksbury and Shorett demanded a roll call on the motion of Senator Drumheller.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Knutzen, Maxwell, McMillan, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Reardon, Roland, Ronald, Ryan (Scott M.), Smith, Steele, Stinson, Tewksbury, Thein, Worum—26.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, Mehner, Miller, Morrow, Murphy (Kebel), Orndorff, Peirce, Ryan (J. H.), Shorett, Thomas—18.

Absent or not voting: Senators Metcalf, Todd—2.

The President announced that he was about to sign House Joint Memorial No. 7.

**Senate Bill No. 17**, by Senator Duggan, entitled: "An Act to adopt Remington's Revised Statutes of Washington as an official compilation of the Laws of this state and relating to additions and amendments thereto, and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 17, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—42.

Absent or not voting: Senators Metcalf, Murphy (Kebel), Norman, Todd—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. 13:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., January 24, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 13, entitled: "An Act relating to sheriff's indemnity bonds and amending Section 4172, 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, being line 22 of the original bill, same being line 13 of the printed bill, by striking the word "may" between the words "he" and "retain" and inserting in lieu thereof the word "shall."  
E. N. STEELE, *Chairman*.

We concur in this report: Fred S. Duggan, Chas. F. Stinson, James A. Murphy, H. I. Kyle, John F. Worum, Geo. F. McAulay, Judson W. Shorett, A. M. Murfin, Ed. Peirce, E. L. Brunton.

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

On motion of Senator Steele, the committee amendment was 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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Worum—40.

Those voting nay were: Senators Maxwell, Thomas—2.

Absent or not voting: Senators Metcalf, Murphy (Kebel), Norman, Todd—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 Thomas moved that the Senate Calendar for the following day be placed on the desks of the Senators on the evening before.

The motion carried.

**Senate Bill No. 4**, by Senator Nelson, entitled: "An Act relating to the passage of ordinances by cities and authorizing cities to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects together with amendments and additions thereto: Provided, Not less than three printed copies of such code or codes, or amendments or additions thereto, in book form, have been filed with the clerk prior to the taking effect thereof," was read the third time.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—44.

Absent or not voting: Senators Metcalf, Todd—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:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

The House has adopted Engrossed House Concurrent Resolution No. 7; also  
The House has adopted House Concurrent Resolution No. 9; also  
The House has passed Re-Engrossed House Joint Memorial No. 3, and the same  
are herewith transmitted. S. R. HOLCOMB, *Chief Clerk.*

At 12:15 o'clock p. m., on motion of Senator Peirce, the Senate adjourned  
until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## SEVENTEENTH DAY

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### MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, January 30, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor  
A. Meyers, pursuant to adjournment.

Reverend Walter G. Comin, of the First United Presbyterian Church of  
Olympia, offered prayer.

The Secretary called the roll, all members being present except Senator  
Todd, who was excused, and Senators Brunton and Nugent.

On motion of Senator Smith, Senator Brunton was excused.

On motion of Senator Nelson, 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 Miller: Relating to the aboli-  
tion of interest bearing United States bonds.

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

**Reengrossed House Joint Memorial No. 3**, by Representative Parker:  
Relating to the use of public funds for the dental care of children in the  
public schools.

The memorial was read the first time, and on motion of Senator Peirce,  
the rules were suspended, the memorial was read the second time by title,  
and referred to the Committee on Memorials.

**House Concurrent Resolution No. 9**, by Committee on Printing: Re-  
lating to the printing of Legislative Manual.

The resolution was read the first time, and on motion of Senator Peirce,  
the rules were suspended, the resolution was read the second time by title,  
and referred to the Committee on Printing.

**Engrossed House Concurrent Resolution No. 7**, by Representative Todd: Relating to an investigation of the actions of the Liquor Control Board of this state in certain matters, and appropriating the sum of two hundred dollars (\$200.00) therefor.

The resolution was read the first time, and on motion of Senator Peirce, the rules were suspended, the resolution was read the second time by title, and referred to the Committee on Liquor Control.

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 33, entitled: "An Act changing the name of the Department of Public Works to the Department of Public Service and providing that all the powers and duties now exercised by the director and officers of the Department of Public Works be exercised by the director and officers of the Department of Public Service," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 13, entitled: "An Act relating to sheriff's indemnity bonds and amending section 4172, Remington's Revised Statutes," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., January 28, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Joint Memorial No. 10, "Urging continuation of the Home Owners' Loan Corporation Relief to Home Owners," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

EARL MAXWELL, *Chairman*.

I concur in this report: Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Joint Memorial No. 7, relating to the repeal of Public No. 2 of the National Economy Act in so far as it reduces veterans' pensions and allowances, have had the same under

consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

EARL MAXWELL, *Chairman*.

I concur in this report: Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 56, entitled: "An Act relating to the application of monies received by the state under the provisions of Section 191, Title 30, United State Code, Annotated, and under Section 810, Chapter 12, Title 16, Conservation, as contained in the United States Code, Annotated," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MARY U. FARQUHARSON, *Chairman*.

We concur in this report: Kathryn E. Malstrom, L. E. Tewksbury, J. D. Bengtson, W. R. Orndorff.

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

SENATE CHAMBER,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Joint Memorial No. 5, petitioning the President of the United States, and the Senate and House of Representatives in Congress for protection of the Forest Products Industries and Labor 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 be reported back to the Senate without recommendation.

EARL MAXWELL, *Chairman*.

I concur in this report: Scott M. Ryan.

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

The Committee on Memorials recommended that Senate Joint Memorial No. 4 do pass with certain amendments.

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

The Committee on Liquor Control recommended that Senate Bill No. 91 do pass with certain amendments.

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

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 5 do pass.

A minority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 5 do not pass unless amended in Sections 7 and 9.

The reports of the committee, together with the bill, were placed on general file.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 103**, by Senator Mehner (by departmental request), entitled: "An Act relating to taxation, and regulating the assessment, levy and collecting of taxes, and amending sections 46, 47 and 49 of Chapter 130, Laws of 1925, Extraordinary Session, and adding thereto a new sec-

tion to be known as Section 47-A, and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Mehner, 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. 104**, by Senator Miller, entitled: "An Act relating to legal holidays."

The bill was read the first time, and on motion of Senator Miller 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 Thomas, entitled: "An Act relating to public school playfields or athletic grounds, and authorizing boards of directors for public schools to permit the use thereof and to rent the same for athletic contests and purposes for a compensation."

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 Education.

**Senate Bill No. 106**, by Senator Lovejoy, entitled: "An Act relating to the use of the public highways and to transportation by motor vehicles over the public highways of the state of Washington; providing for the supervision and regulation thereof and the payment of fees therefor, and amending Section 15 of Chapter 96, Laws of 1921, as amended by Section 11 of Chapter 55, Laws of Extraordinary Session of 1933."

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 Roads and Bridges.

**Senate Bill No. 107**, by Senator Murphy (James A.), entitled: "An Act providing for the more efficient administration of the State Government, establishing a Board of State Taxation Commissioners, and the office of the Director of Highways, prescribing their terms, powers and compensation, and the method of their nomination and election, and defining their powers and duties; abolishing the State Tax Commission, the Department of Public Works, the Department of Efficiency, the Department of Conservation and Development, the Department of Labor and Industries, the Department of Fisheries, the Department of Licenses, the Inheritance Tax and Escheat Division and the office of the State Highway Engineer; allocating the powers and duties of the offices, commissions, divisions and departments, hereby abolished, to the various State Officers, Boards and Commissions and declaring an emergency."

The bill was read the first time, and on motion of Senator Murphy (James A.), the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Welfare and Unemployment Relief.

**Senate Bill No. 108**, by Senator Farquharson, entitled: "An Act relating to parole, repealing Sections 10803, 10247-9, 10291, 2278, 2281 and 2282 of Remington's Compiled Statutes, 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, ordered

printed and referred to the Committee on State Penal and Reformatory Institutions.

**Senate Bill No. 109**, by Senator Farquharson, entitled: "An Act authorizing and regulating the use of probation and the suspension of sentence in certain courts and providing for the appointment of probation officers and defining their powers and duties; 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 State Penal and Reformatory Institutions.

**Senate Bill No. 110**, by Senator Lovejoy, entitled: "An Act relating to elections and providing that blind persons or persons of defective vision may request the assistance of certain persons to mark their ballots other than is now provided by law, and providing penalties."

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 Elections and Privileges.

**Senate Bill No. 111**, by Committee on Rules and Joint Rules (by departmental request), 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 State Institutions, and declaring this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Peirce 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. 112**, by Senators Murfin and McAulay, entitled: "An Act relating to irrigation district deeds on foreclosure of assessments, preserving the lien of general taxes and amending Section 30, page 687 of the Session Laws of 1889-90, as amended by Section 17 of Chapter 165 of the Session Laws of 1895 (Section 7448, 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, ordered printed and referred to the Committee on Judiciary.

**Senate Bill No. 113**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act authorizing the creation, operation, and maintenance of flood control districts, prescribing the objects and powers of such districts, fixing the duties and authority of certain officers and persons in relation thereto, providing for the levy and collection of assessments against lands within the boundaries of such districts, authorizing the issuance and sale of bonds and other evidences of district indebtedness, and the execution of contracts with the United States, the State of Washington and political subdivisions thereof, for the accomplishment of district purposes, making violations of certain provisions of the act a misdemeanor, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Peirce 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. 114**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to Tourist Camps, which provides for the sanitary inspection thereof, and fixes fees for the issuance of certificates of sanitation, making an appropriation, repealing all laws conflicting with the provisions hereof, declaring an emergency and that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Peirce 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. 115**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to vital statistics (including the collection, compilation, and certification thereof), providing for local registration districts and the appointment of local and deputy registrars, defining their duties and fixing their compensation, providing for the registration of births, deaths, stillbirths, marriages, divorces, annulments, and adoptions, and prescribing the duties of county clerks and auditors, physicians, midwives, undertakers, sextons, hospitals, and others in relation thereto, providing for the registration of physicians, midwives, and undertakers, providing for the issuance of burial, removal and other permits of disposition of deceased persons, making an appropriation, repealing Sections 6011 to 6039 both inclusive and Sections 8445, 8446 of Remington's Revised Statutes of Washington—annotated, and parts of laws, and providing fines and penalties for violation of provisions hereof.

The bill was read the first time, and on motion of Senator Peirce 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. 116**, by Committee on Rules and Joint Rules (by executive request), entitled: "An Act relating to public health, which provides for a state board of health, local and district boards of health, local and district health officers, and prescribes the powers, duties, qualifications, and salaries of same. Defining the powers and duties of the state director of health, the state department of health; fixing the salary and qualifications of the director of health; creating a state health fund; providing for the financial maintenance of local and district boards of health and public health personnel; providing fines and penalties for violation of provisions hereof; repealing Sections 6001 to 6010 both inclusive; 6047 to 6099 both inclusive; and 10814 to 10817 both inclusive, of Remington's Revised Statutes of Washington—Annotated—and all laws in conflict with the provisions hereof.

The bill was read the first time, and on motion of Senator Peirce 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.

On motion of Senator Nelson, the employees of the Senate were to be excused as early as possible in order to attend the Roosevelt Ball this evening.

At 10:32 o'clock a. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## EIGHTEENTH DAY

### MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, January 31, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers pursuant to adjournment.

Reverend Walter G. Comin, of the First United Presbyterian Church of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senators Brunton and Metcalf, who were excused, and Senator Todd.

On motion of Senator Nelson, 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 Maxwell and Barnes: Relating to Flood Control in the State of Washington.

The memorial was read the first time, and on motion of Senator Maxwell 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:

**Senate Joint Memorial No. 11**, by Senators McAulay and Murfin: Relating to the Roza Reclamation Project and petitioning for the completion thereof by the Federal Government.

On motion of Senator McAulay the rules were suspended, the memorial 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 Memorial No. 11 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein—36.

Those voting nay were: Senators Farquharson, Knutzen, Miller, Morrow, Thomas, Worum—6.

Absent or not voting: Senators Brunton, Metcalf, Nugent, Todd—4.

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

On motion of Senator McAulay, the rules were suspended and the memorial was ordered immediately transmitted to the House.

The Secretary read:

**Senate Joint Resolution No. 5**, by Senators Roland and Maxwell: Relating to the observance and commemoration of the death of Brigadier General

Casimir Pulaski and that October 11 of each year be designated as "General Pulaski's Memorial Day."

On motion of Senator Roland, the rules were suspended, the resolution was read the second time by title, ordered printed and referred to the Committee of Memorials.

On motion of Senator Ryan (J. H.), Senate Bill No. 97 was recalled from the Committee on Labor and Labor Statistics and re-referred to the Committee on Appropriations.

On motion of Senator Stinson, the use of the Senate Chamber was granted to the Committee on Medicine, Dentistry, Pure Food and Drugs this evening for a public hearing.

On motion of Senator Lovejoy, the use of the Senate Chamber was granted to the Committee on Liquor Control for next Monday evening for a public hearing.

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, January 30, 1935.

*To the Honorable, the Senate and the House of Representatives of the  
State of Washington.*

LADIES AND GENTLEMEN:

Probably the greatest field for governmental economy is in the elimination or consolidation of duplicated functions. This means governmental reorganization, which, of course, must be preceded by revision of the Constitution.

Therefore, I took the liberty to create the Washington State Advisory Constitutional Revision Commission, which was requested to outline the amendments necessary to open the way for reorganization, consolidation and modernization of state, county and local governments. The report of this commission is herewith transmitted to the Legislature, not as a recommended program, but as dependable information for the benefit of the Legislature in the consideration of governmental reform.

In forming the commission, I chose nine public-spirited citizens, who have given much of their time and efforts, without pay, and I believe they are entitled to commendation. I am sure that members of the Legislature, public officials and other citizens will join me in an appreciation of the work done by the members of the Washington State Advisory Constitutional Revision Committee.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

The House has passed House Joint Memorial No. 17; also Senate Joint Memorial No. 8; also Engrossed House Bill No. 36; also House Bill No. 116, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**House Joint Memorial No. 17**, by Representatives Herren and Schroeder: Relating to the Re-establishment of Narcissus in United States Department of Agriculture, Quarantine No. 37.

On motion of Senator Garrett the rules were suspended, the memorial 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 House Joint Memorial No. 17 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—41.

Absent or not voting: Senators Brunton, Knutzen, Metcalf, Nugent, Todd—5.

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

On motion of Senator Garrett, the rules were suspended and the memorial was ordered immediately transmitted to the House.

The Secretary read:

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Joint Memorial No. 8, "Relating to the petitioning of the President and the Congress of the United States to provide adequate facilities at Soap Lake, Washington, for the care of all Veterans afflicted with Buerger's disease," have compared same with the Engrossed Joint Memorial and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: D. E. McMillan, C. Nifty Garrett, W. J. Knutzen.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 41, entitled: "An Act relating to the division of counties into commissioners' districts, providing for re-districting counties periodically and amending Section 2 of Chapter 39 of Session Laws of 1893 (Section 4037, 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: John F. Worum, Fred Norman, S. C. Roland, Geo. F. McAulay.

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

SENATE CHAMBER,  
OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 73, entitled: "An Act relating to justice courts, fixing the venue of civil actions therein, and

amending Section 1 of Chapter 75 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.

E. N. STEELE, *Chairman*.

We concur in this report: Ed. Peirce, A. M. Murfin, John F. Worum, Judson W. Shorett, James A. Murphy, Geo. F. McAulay, Fred S. Duggan, H. I. Kyle.

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

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

We, your committee on Judiciary, to whom was referred Senate Bill No. 77, entitled: "An Act relating to and providing for Firemen's Relief and Pension Funds in certain incorporated cities and towns of the State, providing for the maintenance and distribution of such funds and designating the beneficiaries thereof, defining the powers and duties of certain officials, and amending Section 1 of Chapter 196 of the Laws of 1919 and Sections 4, 5, 7, 8, 9, 14, 15, 17, 18 and 19 of said Chapter as amended," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be re-referred to the Committee on Cities of the First Class.

E. N. STEELE, *Chairman*.

We concur in this report: Fred S. Duggan, A. M. Murfin, John F. Worum, Judson W. Shorett, James A. Murphy, Geo. F. McAulay, Ed. Peirce, H. I. Kyle.

On motion of Senator Steele, the report of the committee was received and the bill was re-referred to the Committee on Cities of the First Class.

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 88, entitled: "An Act relating to banks, trust companies and mutual savings banks; providing for the issuance of capital notes or debentures; defining the meaning thereof and construing the term capital as used herein; providing such capital notes and debentures shall be subordinate to depositors and other creditors; that capital stock may be carried on the books at less than par; that no assessment shall be levied upon the holders of capital notes or debentures; 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. H. GANNON, *Chairman*.

We concur in this report: Fred S. Duggan, A. M. Murfin, Judson W. Shorett, Kathryn E. Malstrom, Fred Norman.

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

SENATE CHAMBER,

OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 89, entitled: "An Act relating to banks and trust companies; providing for the repayment of sums deposited with the state treasurer as superadded liability of stockholders; repealing Section 4, Chapter 42, Laws of 1933 (Remington's Revised Statutes Section 3229-2; Pierce's Washington Code Section)," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. GANNON, *Chairman*.

We concur in this report: Fred S. Duggan, A. M. Murfin, Judson W. Shorett, Kathryn E. Malstrom, Fred Norman.

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

SENATE CHAMBER,  
OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Engrossed House Bill No. 115, entitled: "An Act relating to elections and to precinct election boards and the appointments thereof, amending Section 1, of Chapter 29 of the Laws of the Extraordinary Session of 1933, 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 U. FARQUHARSON, *Chairman.*

We concur in this report: Kathryn E. Malstrom, W. R. Orndorff, J. D. Bengtson.

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

A part of the Committee on Elections and Privileges recommended that Initiative to the Legislature No. 2 do pass.

A part of the Committee on Elections and Privileges recommended that Initiative to the Legislature No. 2 do pass and that it be referred to the people for their approval or rejection.

A part of the Committee on Elections and Privileges reported back the Initiative to the Legislature No. 2 without recommendation and that the referendum clause be attached thereto.

The reports of the committee, together with the Initiative, were placed on general file.

The Committee on Public Utilities recommended that Senate Bill No. 40 do pass as amended.

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

A majority of the Committee on Industrial Insurance recommended that Senate Bill No. 79 do pass.

A minority of the Committee on Industrial Insurance recommended that Senate Bill No. 79 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Committee on Elections and Privileges recommended that Senate Bill No. 10 do pass as amended.

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

#### INTRODUCTION OF BILLS.

**Engrossed House Bill No. 36**, by Representative Neff, entitled: "An Act pertaining to removal of timber while taxes are delinquent, and providing penalty."

The bill was read first time, and on motion of Senator Peirce, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Forestry and Logged-off Lands.

**House Bill No. 116**, by Committee on Reclamation and Irrigation, entitled: "An Act relating to the powers and duties of the director of the Department of Conservation and Development of the State of Washington, amending Section 1 of Chapter 13, Laws of the Extraordinary Session of 1933, and declaring an emergency."

The bill was read the first time, and on motion of Senator Steele, the rules were suspended, the bill was read the second time by title, and re-

ferred to the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches.

**Senate Bill No. 117**, by Senator Farquharson, entitled: "An Act relating to the non-salaried Washington State Development Commission; defining its duties; and providing that this act shall take effect immediately."

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. 118**, by Senator Murphy (Kebel), entitled: "An Act relating to agricultural and vegetable seeds and amending Sections 9, 10 and 16 of Chapter 183 of the Laws of 1919 as amended, and Section 8 of Chapter 153 of the Laws of 1921, and repealing Chapter 166 of the Laws of 1929, and making an appropriation for administrative expenses."

The bill was read the first time, and on motion of Senator Murphy (Kebel), 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. 119**, by Senator Farquharson, entitled: "An Act making the charging of, or the collection of, interest in excess of the maximum rate allowed by law, a crime; providing for the punishment thereof; 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 Judiciary.

**Senate Bill No. 120**, by Senator Ronald, entitled: "An Act relating to exemptions of property from attachments and execution, and amending Section 563 of Remington's Revised Statutes of Washington."

The bill was read the first time, and on motion of Senator Ronald, 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. 121**, by Senators Shorett, Murphy (James A.), Kyle and Malstrom, entitled: "An Act relating to official reports and to the budget system of the State of Washington; prescribing the powers and duties of state officers and employees with respect thereto; providing for the distribution thereof to members of the Legislature; and amending Chapter 9 of the Laws of 1925, as amended by Chapter 162 of the Laws of 1929 (Sec. 10927-4 Rem. Rev. Stat.); and repealing all laws in conflict herewith."

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. 122**, by Senator Norman, entitled: "An Act relating to classifying, naming, and fixing the route of a certain state highway, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Norman, 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. 123**, by Senators Norman and Thein, entitled: "An Act relating to the time of holding elections within the State of Washington

for the various branches of state, county, city, town, park district, port district, and all other municipal elections, and excepting therefrom school district elections and the election of officers of cities of the first class whose charter provides for an election at other times; and excepting therefrom certain district elections."

The bill was read the first time, and on motion of Senator Norman, 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. 124**, by Senator Malstrom, entitled: "An Act relating to the closing of certain county offices on Saturday afternoons and amending Section 4033, Remington's Compiled Statutes of the State of Washington."

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 Counties and County Boundaries.

**Senate Bill No. 125**, by Senators McAulay and Ronald, entitled: "An Act relating to the regulation and control of the use of waters within the state and the rights and use thereof and amending Section 7391a of Remington's Revised Statutes (Section 7241a of Pierce's Code)."

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. 126**, by Senator Dailey, entitled: "An Act defining a homestead and providing for the selection of the same, providing for the exemption thereof from taxation or assessments or sale; and amending Section 5, Chapter 64 of the Session Laws of 1895 as amended by Section 1, Chapter 44 of the Laws of 1909; amending Sections 24 and 25 of Chapter 64 of the Session Laws of 1895 (Sections 533, 552 and 553, Remington's Revised Statutes); repealing all acts and parts of acts in conflict therewith; and providing that this act shall take effect immediately."

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

**Senate Bill No. 127**, by Senator Steele, entitled: "An Act relating to the filling of vacancies on the Supreme and Superior Courts of this state, and amending Sections 11044 and 11049 of Remington's Compiled Statutes of Washington."

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

#### GENERAL FILE.

**Substitute Senate Bill No. 6**, by Committee on Judiciary, entitled: "An Act relating to the welfare of minor children, their care, custody, control and adoption, and providing penalties, adding to Chapter 62 of the Laws of 1933 a new section to be numbered Section 4," was read the third time.

Senator Farquharson moved the adoption of the following amendment:

Strike out the word "physician," in line 3 of the printed bill, Section 4, after the word "No", so that sentence will read "No midwife, nurse and no hospital or any person affiliated in any manner therewith, shall undertake directly or indirectly to place an infant under one year of age in a family home for adoption or otherwise."

Senator Miller moved that the amendment of Senator Farquharson be laid on the table without taking the bill with it.

The motion of Senator Miller lost.

Senator Reardon moved that the amendment of Senator Farquharson together with the bill be re-referred to the Committee on Judiciary.

Senator Maxwell moved that the motion of Senator Reardon be laid on the table.

The motion carried.

Senators Drumheller, Kyle and Shorett demanded the previous question.

The previous question was ordered.

The amendment of Senator Farquharson lost.

Senators Ronald, Peirce and Lovejoy demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dawson, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Worum—34.

Those voting nay were: Senators Dailey, Drumheller, Farquharson, Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Thomas—9.

Absent or not voting: Senators Brunton, Metcalf, 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 Bill No. 5:**

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., January 28, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 5, entitled: "An Act to prevent the procreation of persons socially inadequate from defective inheritance, by authorizing and providing for the eugenical sterilization of certain potential parents carrying degenerate hereditary qualities," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

D. O. NUGENT, *Chairman*.

We concur in this report: Earl Maxwell, H. L. Nelson, Horace E. Smith, Paul G. Thomas.

SENATE CHAMBER,  
OLYMPIA, WASH., January 28, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 5, entitled: "An Act to prevent the procreation of persons socially inadequate from defective inheritance, by authorizing and provid-

ing for the eugenical sterilization of certain potential parents carrying degenerate hereditary qualities," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass, unless amended in Sections 7 and 9.

....., *Chairman.*

We concur in this report: Edmund J. Miller, G. B. Kerstetter.

Senator Morrow moved the adoption of the following amendment:

Amend Section 2, in line 6, after the word "effort" strike the words "regardless of etiology or prognosis."

Senator Ronald moved that the amendment of Senator Morrow be laid on the table without taking the bill with it.

The motion of Senator Ronald lost.

The amendment by Senator Morrow lost.

Senator Morrow moved the adoption of the following amendment:

Amend Section 2, in line 7, after the word "fails" strike the words "chronically in comparison with normal persons."

Senator Ryan (Scott M.) moved that the amendment of Senator Morrow be laid on the table without taking the bill with it.

The motion of Senator Ryan (Scott M.) carried.

On motion of Senator Kerstetter, the following amendment was adopted:

Amend Section No. 7, in line 11, after the word "persons" strike balance of paragraph. Substitute in lieu thereof: "who are potential parents of socially inadequate offspring who are inmates of custodial institutions regardless of sex, age, marital condition, race or possessions of such persons."

Senator Reardon moved that Senate Bill No. 5 be indefinitely postponed. The motion lost.

On motion of Senator Kerstetter, the following amendment was adopted:

Amend Section No. 7, in line 17, after the word "state," strike "whether in the population at large or as," substitute "who are."

Senator Peirce moved that the Senate adjourn until 10:00 o'clock tomorrow and that Senate Bill No. 5 be made the first order of business.

The motion lost.

Senator Miller moved that the Senate adjourn until 5:30 o'clock a. m. tomorrow.

The motion lost.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 31, 1935.

MR. PRESIDENT:

The House has passed Initiative Measure No. 2 (House Bill No. 153); also Engrossed House Bill No. 41; also Engrossed House Bill No. 45; also Engrossed House Bill No. 54; also Engrossed House Joint Memorial No. 6, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

At 12:30 o'clock p. m., on motion of Senator Knutzen, the Senate recessed until 2:00 o'clock p. m.

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**AFTERNOON SESSION.**


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The Senate reconvened at 2:00 o'clock p. m.

The President announced that the Senate would proceed with the consideration of Senate Bill No. 5.

**Senate Bill No. 5:**

On motion of Senator Kerstetter, the following amendment to Senate Bill No. 5 was adopted:

Amend Section No. 9; strike the entire section and re-number sections accordingly.

Senator Reardon moved that Senate Bill No. 5 be laid on the table.

Senators Lovejoy, Norman, Kyle, Ryan (J. H.), Ferryman, Reardon, Gannon and Orndorff demanded a roll call on the motion of Senator Reardon.

A roll call was ordered.

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

Those voting aye were: Senators Dailey, Duggan, Gannon, Kyle, McAulay, Nelson, Orndorff, Peirce, Reardon, Tewksbury, Thein—11.

Those voting nay were: Senators Barnes, Bengtson, Dawson, Drumheller, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thomas, Worum—31.

Absent or not voting: Senators Brunton, Metcalf, Murphy (Kebel), Todd—4.

Senator Miller moved that Senate Bill No. 5 be re-referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

The motion lost.

Senator Reardon moved that Senate Bill No. 5 be indefinitely postponed.

The motion lost.

Senator Reardon moved the adoption of the following amendment:

Amend Section 14—in line 7 strike word "six" and insert figures "12."

Senator Maxwell moved that the amendment of Senator Reardon be laid on the table without taking the bill with it.

The motion of Senator Maxwell lost.

The amendment by Senator Reardon lost.

Senator Lovejoy moved the adoption of the following amendment:

Amend Section No. 15, line 14, after "State Eugenicist" insert "or a duly authorized officer of the law."

Senator Thomas\* moved that the amendment by Senator Lovejoy be laid on the table without taking the bill with it.

The motion of Senator Thomas lost.

The amendment by Senator Lovejoy was adopted.

Senator Reardon moved the adoption of the following amendment:

Amend Section 17—by striking out entire section.

The amendment lost.

Senator Ronald moved the adoption of the following amendment:

Add a new section to be numbered 17 (b) to read viz.: "Nothing in this act shall apply to persons over 75 years of age."

The amendment lost.

Senator Miller moved that Senate Bill No. 5 be re-referred to the Committee on Judiciary.

Senator McAulay moved to amend the motion of Senator Miller by striking out "Judiciary" and inserting "Medicine, Dentistry, Pure Food and Drugs."

Senator Maxwell moved that the motion of Senator Miller with the amendment of Senator McAulay be laid on the table.

The motion of Senator Maxwell lost.

The motion of Senator Miller lost.

The motion of Senator McAulay lost.

Senator Reardon moved the adoption of the following amendment:

Amend Section 2—Sub Section J—in line 27, strike word "imply" and insert word "be."

On motion of Senator McAulay, the motion of Senator Reardon was laid on the table.

Senator Kyle moved the adoption of the following amendment:

Amend Section 19, by striking the word "Neither" at the beginning of Section 19, and the word "nor" in line 19 and substituting the word "and."

On motion of Senator Ferryman, the motion of Senator Kyle was laid on the table.

Senator Duggan moved the adoption of the following amendment:

Amend Section 7 by striking out Section 7(a).

The amendment by Senator Duggan lost.

Senator Reardon moved the adoption of the following amendment:

Amend Section 7, Sub Section (c)—strike period in line 27, insert a colon and add following: "Provided, that such public and private custodial institutions shall not include institutions either in whole or in part maintained by the federal government."

The amendment by Senator Reardon lost.

Senator Reardon moved the adoption of the following amendment:

Amend the bill by adding a new section to be numbered Section 23 and to read as follows: "That at the General Election to be held in this state on the Tuesday next succeeding the first Monday in November, 1936, the Act shall be submitted to the qualified electors of the state for their approval and ratification or rejection."

Senators Reardon, Morrow, Kyle, Orndorff, Duggan, Murphy (James A.), Dailey and Murphy (Kebel) demanded a roll call on the motion of Senator Reardon.

The Secretary called the roll on the adoption of the amendment by Senator Reardon and it lost by the following vote:

Those voting aye were: Senators Dailey, Duggan, Gannon, Kyle, Malstrom, McAulay, Morrow, Murphy (James A.), Orndorff, Peirce, Reardon, Tewksbury—12

Those voting nay were: Senators Barnes, Bengtson, Dawson, Drumheller, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Maxwell, McMillan, Mehner, Miller, Murfin, Murphy (Kebel), Nelson,

Norman, Nugent, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Worum—31.

Absent or not voting: Senators Brunton, Metcalf, Todd—3.

On motion of Senator Miller, the following amendment was adopted:

Amend Sec. No. 18, lines 17 and 18, after the word "sterilization" insert a period (.) and strike the balance of the section.

Senator McAulay moved that Senate Bill No. 5 as amended be re-referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

Senator Maxwell moved that the motion of Senator McAulay be laid on the table.

The motion of Senator Maxwell carried.

Senators Maxwell, Ronald and Nelson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 5 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dawson, Drumheller, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Maxwell, McMillan, Mehner, Murfin, Nelson, Norman, Nugent, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—31.

Those voting nay were: Senators Dailey, Duggan, Gannon, Kyle, Malstrom, McAulay, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Orndorff, Peirce—12.

Absent or not voting: Senators Brunton, Metcalf, 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.

Senator Reardon gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 5 passed the Senate.

At 4:00 o'clock p. m. on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## NINETEENTH DAY

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### MORNING SESSION.

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SENATE CHAMBER,  
OLYMPIA, WASH., Friday, February 1, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers pursuant to adjournment.

Reverend Walter G. Comin, of the First United Presbyterian Church of Olympia, offered prayer.

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

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

On motion of Senator Todd, Rule No. 63 was suspended.

The Secretary read:

**Engrossed House Joint Memorial No. 6**, by Representatives Drew and Richmond: A Memorial regarding government ownership of the banking system.

The memorial was read the first time, and on motion of Senator Peirce the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

**Senate Joint Resolution No. 6**, by Senator Lovejoy: Providing for the petitioning of Congress of the United States to repeal certain acts pertaining to mail contracts in the aeronautical service.

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

The Secretary read:

### REPORT OF STANDING COMMITTEE.

A majority of the Committee on Education recommended that Senate Bill No. 71 do pass.

A minority of the Committee on Education recommended that Senate Bill No. 71 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 1, 1935.

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

LADIES AND GENTLEMEN:

I have the honor to submit herewith the following appointment subject to your confirmation.

## STATE TAX COMMISSION.

T. M. JENNER, Seattle, appointed January 31, 1935, effective January 31, 1935, for the term ending January 31, 1941, succeeding himself, term expired.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor.*

Senator Peirce moved that the appointment of T. M. Jenner to the State Tax Commission be confirmed.

The Secretary called the roll and the appointment of T. M. Jenner was confirmed by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Todd, Worum—40.

Those voting nay were: Senator Thomas—1.

Absent or not voting: Senators Metcalf, Murphy (Kebel), Nugent, Rear-don, Steele—5.

The Secretary read:

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., January 31, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 118, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## INTRODUCTION OF BILLS.

**Senate Bill No. 128**, by Senator Lovejoy, entitled: "An Act relating to carriers for hire; providing for the cancellation of bonds and insurance policies filed by them; for the filing of new bonds or insurance policies; and for the cancellation of licenses issued to them; and amending Chapter 73 of the Laws of 1933 by adding two new sections."

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 Utilities.

**Senate Bill No. 129**, by Senators Thomas, Dailey and Miller, entitled: "An Act regulating and licensing the practice of Sanipractic, 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 Physician's Fund, defining unprofessional conduct, defining an authorized Sanipractic institution, defining 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 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. 130**, by Senators Malstrom and Lovejoy, entitled: "An Act pensioning blind persons; providing funds for such purpose and providing penalties; and amending Sections 2, 3, 4, 5, 7, 8, 9 of Chapter 102 of Session Laws of 1933, and declaring an emergency."

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 Public Welfare and Unemployment Relief.

**Senate Bill No. 131**, by Senator Ferryman, entitled: "An Act relating to garnishments against county, city, and other municipal corporations, and amending Sections 8026, 8027, and 8027-2 of Pierce's Code, 1933 (Sections 1, 2, and 4 of Chapter 15, Laws of 1933)."

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 Judiciary.

**Senate Bill No. 132**, by Senator Miller, entitled: "An Act relating to the Washington State Bar Association, and repealing Chapter 94 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Miller 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. 133**, by Senators McAulay, Murfin and Norman, entitled: "An Act relating to State Highway No. 5, of the National Park Highway System, providing for an extension thereof, amending Section 4 of Chapter 185 of the Laws of 1923, as amended by Section 4 of Chapter 26 of the Laws of 1925, as amended by Section 1 of Chapter 29 of the Laws of 1931, 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 Roads and Bridges.

**Senate Bill No. 134**, by Senator Maxwell, entitled: "An Act relating to the acquirement and extension of water works system beyond city limits, by cities and towns; and fixing the term of utility revenue bonds to pay therefor; and amending Section 4, Chapter 17, of the Laws of the Extraordinary Session of 1933; and declaring 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 referred to the Committee on Public Utilities.

**Senate Bill No. 135**, by Senator Maxwell, entitled: "An Act providing for the amendment of Article II of the Constitution of the State of Washington by adding thereto an additional section relating to the immediate determination of the constitutionality of an act of the Legislature or initiative measure by the Supreme Court of the State of 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 Constitutional Revision.

**Senate Bill No. 136**, by Senators Thomas and Kyle, entitled: "An Act relating to elections and providing for expressions of principles of candidates

upon primary ballots and general election, the expression of the voters on propositions, at primary and at general elections, and defining the duties of city councils, boards of county commissioners and the legislature in reference thereto, and amending Section 2226 of Pierce's Code and Section 2 of Chapter 52 of Laws of 1915."

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 Elections and Privileges.

**Engrossed House Bill No. 41**, by Representatives McCarty, Freese and Boyle, entitled: "An Act relating to health, welfare, and care of children in attendance at public schools, and amending Section 1 of Chapter 190 of the Laws of 1921 as amended by Section 1 of Chapter 152 of the Laws of 1923 (being Section 4806 of Remington's Compiled Statutes); and declaring that this act shall take effect immediately."

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

**Engrossed House Bill No. 45**, by Representative Voyce, entitled: "An Act amending Section 204 of Chapter 36 of the Laws of 1917 (Section 4031 of Pierce's Code; Section 8839 of Remington's Revised Statutes); providing for a just weighing of coal for miners, posting and checking weights, and the employment and deduction of check-weighmen; and providing penalties for its violations."

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

**Engrossed House Bill No. 54**, by Representative Dixon, entitled: "An Act relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept a rebate from those performing services under contractors and subcontractors doing public work."

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

**Engrossed House Bill No. 118**, by Representatives Adams, McDonald (James D.), Freese, Strickland, Keen, Voyce, Lindgren, Carty, Easterday, Ryan, Klemgard, Lynch, Todd, Gessell, Johnson (Hans), Dixon, McCarty, Halleran, Wingrove, Ford, Gifford, Parker, Herren, Hales, Sandegren, Bell, Smith (J. B.), Smith (T. E.), Edlund, McDonald (Donald A.), McDonald (Robert T.), Boyle, Richmond (W. A.), Brown, Hall, Austin, Wilson, Van Dyk, Neal, Drew, Jones, Sawyer, Schultz, Cohen, Neff, Hurley, Titus, Bowden, Clark, Sullivan, Nelsen, Murray, Cowen, Martin (Fred J.), Reilly, Kelly, Wiswall, Wentworth, Gardner, Bohlke and Smith (Michael B.), entitled: "An Act for the protection of shipping and the safety of human life and property, regulating pilots and pilotage on the waters of Puget Sound and adjacent inland waters; creating the Board of Pilotage Commissioners of the State of Washington and prescribing its powers and duties; providing for the licensing, regulation and compensation of pilots; establishing a special fund for the purposes of this act and appropriating moneys therefrom; de-

fining vessels subject to pilotage; prohibiting piloting by unlicensed persons and the employment of unlicensed persons as pilots; defining offenses under this act and prescribing penalties for the same; and repealing certain acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Peirce the rules were suspended, and the bill was read the second time by title.

Senator Dawson moved that Engrossed House Bill No. 118 be referred to the Committee on Commerce and Manufacturing.

Senator Ryan (J. H.) moved that the motion of Senator Dawson be amended to read: "Refer Engrossed House Bill No. 118 to Committee on Labor and Labor Statistics."

Senators Ryan (J. H.), Maxwell, Mehner, Miller, Morrow, Farquharson, Kyle and Gannon demanded a roll call on the motion of Senator Ryan (J. H.).

A roll call was ordered.

The Secretary called the roll on the motion of Senator Ryan (J. H.), and the motion was carried by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—23.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Knutzen, McAulay, McMillan, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—22.

Absent or not voting: Senator Metcalf—1.

Engrossed House Bill No. 118 was referred to the Committee on Labor and Labor Statistics.

**House Bill No. 153**, by Representatives Herren, Easterday, Kelly, Schultz, McDonald (D. A.); Sawyer, Lindgren, Carty, Sullivan, Adams and Neff, entitled: "An Act relating to primary elections, providing for a Blanket Primary Ballot, amending Sections 5185, 5187, 5189 and 5195 of Remington's Compiled Statutes of 1932, and repealing all laws in conflict therewith."

The bill was read the first time, and on motion of Senator Steele 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 Reardon the Senate referred back to the first order of business.

Senator Reardon moved that the Senate reconsider the vote by which Senate Bill No. 5 passed the Senate.

Senators Murphy (Kebel), Nelson and Lovejoy demanded the previous question.

The previous question was ordered.

Senators Maxwell, Ryan (J. H.), Shorett, Kyle, Keller, Nugent, Dailey and Duggan demanded a roll call on the motion by Senator Reardon.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Reardon to reconsider the vote by which Senate Bill No. 5 passed the Senate, and it lost by the following vote:

Those voting aye were: Senators Dailey, Duggan, Kyle, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Orndorff, Peirce, Rear-don—11.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Murfin, Nelson, Norman, Nugent, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—34.

Absent or not voting: Senator Metcalf—1.

The President announced that he was about to sign Senate Joint Memorial No. 8; also Senate Joint Memorial No. 11.

#### GENERAL FILE.

#### Senate Joint Memorial No. 4:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., January 28, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Joint Memorial No. 4, "Relating to the Townsend Old Age Revolving Pension Plan," 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:

In line 28, page 4, after the "comma" after the word "payment" strike the following: "and that a sales tax upon commodities and commercial transactions"—and insert in lieu thereof the following: "and that a sales tax upon all commercial transactions."  
EARL MAXWELL, *Chairman.*

I concur in this report: Scott M. Ryan.

On motion of Senator Maxwell the report of the committee was received and the memorial was read the third time.

On motion of Senator Ryan (Scott M.) the committee amendment was adopted.

On motion of Senator Malstrom the following amendment was adopted:

Amend Sec. No. 3—"WHEREAS," strike beginning with the word "fostering" and ending with the word "and" and inserting the word "which."

Senator Thomas moved the adoption of the following amendment:

On page 3: Eliminate in line 19 the words "that a sales;" eliminate in line 20, the complete line; eliminate in line 21 the words "rate that will" and "All funds derived from;" in line 22, eliminate all except the word "and."

Senators Ronald, Nugent and Roland demanded the previous question.

The previous question was ordered.

The amendment by Senator Thomas lost.

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

Those voting aye were: Senators Barnes, Bengtson, Dailey, Ferryman, Lovejoy, Malstrom, Mehner, Murphy (James A.), Nelson, Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Stinson, Tewksbury, Thein, Thomas, Worum—20.

Those voting nay were: Senators Brunton, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, McAulay,

McMillan, Miller, Morrow, Murfin, Murphy (Kebel), Orndorff, Reardon, Ronald, Shorett, Smith, Steele—23.

Absent or not voting: Senators Maxwell, Metcalf, Todd—3.

The memorial, having failed to receive the constitutional majority, was declared lost.

Senator Miller explained his vote on Senate Joint Memorial No. 4 as follows:

"No plan with such a background will do anything. What we need is to arrange our economic system to meet changing economic conditions."

At 12:10 o'clock p. m., on motion of Senator Peirce, the Senate recessed until 1.30 o'clock p. m.

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### AFTERNOON SESSION.

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The Senate reconvened at 1:30 o'clock p. m.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 1, 1935.

MR. PRESIDENT:

The Speaker has signed House Joint Memorial No. 17, and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

The President announced he was about to sign House Joint Memorial No. 17.

The Secretary read:

**Senate Joint Memorial No. 12**, by Senators Shorett, Gannon, Ryan (J. H.), Murfin, Kerstetter and Drumheller: Relating to Old Age Pension.

Senator Miller entered a protest against the method of considering memorials for final passage.

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

Senators Peirce, Kyle and Norman demanded a call of the Senate.

The call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senator Metcalf, who was previously excused.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Peirce, the Senate proceeded under the call of the Senate.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Maistrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.),

Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—43.

Those voting nay were: Senators Dawson, Garrett—2.

Absent or not voting: Senator Metcalf—1.

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

Senator Miller gave notice that at the proper time he would move to reconsider the vote by which Senate Joint Memorial No. 12 passed the Senate.

**Senate Joint Memorial No. 5**, by Senator Norman: "Petitioning the President of the United States, and the Senate and House of Representatives in Congress for protection of the Forest Products Industries and Labor of the State of Washington," was read the third time.

On motion of Senator Norman, the following amendment to Senate Joint Memorial No. 5 was adopted:

Amend on page 5, the third from the last line of the printed bill, by inserting after the word "Representative" the following: "and to each Senator and Representative."

Senator Miller moved that Senate Joint Memorial No. 5 be indefinitely postponed.

Senator Tewksbury moved to dispense with the call of the Senate.

The motion of Senator Tewksbury lost.

Senators Reardon, Drumheller and Kyle demanded the previous question.

The previous question was ordered.

Senators Norman, Gannon, Smith, Miller, Morrow, Roland, Thein and Shorett demanded a roll call on the motion of Senator Miller.

A roll call was ordered.

The Secretary called the roll on the motion of Senator Miller and it lost by the following vote:

Those voting aye were: Senators Drumheller, Duggan, Farquharson, Kerstetter, Kyle, McAulay, Miller, Morrow, Murfin, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—17.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd, Worum—28.

Absent or not voting: Senator Metcalf—1.

Senator Gannon moved the adoption of the following amendment:

Amend in the 12th line from the bottom of page 2; place a period (.) after "United States" and strike the balance of the sentence.

On motion of Senator Murfin, no Senator was allowed to speak for more than one-half minute and only once on each amendment.

Senator Miller moved that the motion of Senator Gannon be laid on the table.

Senators Miller, Ferryman, Norman, Kyle, Drumheller, Morrow, Roland and Peirce demanded a roll call on the motion of Senator Miller.

The Secretary called the roll on the motion by Senator Miller and it lost by the following vote:

Those voting aye were: Senators Drumheller, Duggan, Farquharson, Kyle, McAulay, Miller, Morrow, Murfin, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—15.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—30.

Absent or not voting: Senator Metcalf—1.

Senators Miller, Drumheller and Reardon demanded the previous question.

The previous question was ordered.

The motion of Senator Gannon carried.

On motion of Senator Duggan, the following amendment was adopted:

Amend Sec. No. 3, line 1, page 5, by striking out the words "A tariff of not less than 25 per cent ad valorem" and substituting in lieu thereof the words "An adequate scale of tariffs."

Senator Duggan moved the adoption of the following amendment:

"To strike out the paragraph numbered 1 on page 4 consisting of the two lines beginning with the words: '1. The Excise Tax' and ending with the words: 'United States Government.'"

Senator Nugent moved that the motion by Senator Duggan be laid on the table without taking the bill with it.

The motion lost.

Senator Miller moved that the amendment by Senator Duggan be laid on the table and take the bill with it.

Senators Peirce, Norman, Barnes, Stinson, Smith, Dawson, Nugent, Lovejoy and Murphy (Kebel) demanded a roll call on the motion by Senator Miller.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Miller and it lost by the following vote:

Those voting aye were: Senators Drumheller, Duggan, Farquharson, Kerstetter, Kyle, McAulay, Miller, Morrow, Murfin, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—17.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd, Worum—28.

Absent or not voting: Senator Metcalf—1.

Senators Norman, Nugent, Keller, Ronald, Brunton, Barnes, Steele and McMillan demanded a roll call on the motion by Senator Duggan.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Duggan and it lost by the following vote:

Those voting aye were: Senators Drumheller, Duggan, Farquharson, Gannon, Keller, Kerstetter, Kyle, Malstrom, McAulay, Miller, Morrow, Murfin, Murphy (James A.), Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas, Todd—22.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Ferryman, Garrett, Knutzen, Lovejoy, Maxwell, McMillan, Mehner, Murphy (Kebel), Nelson, Norman, Nugent, Ronald, Shorett, Smith, Steele, Stinson, Thein, Worum—23.

Absent or not voting: Senator Metcalf—1.

On motion of Senator Thomas, the following amendment was adopted:

Amend on page 2, in lines 26 and 27; delete the following: "and produced largely from convict, or forced, labor, in state-operated prison camps."

Senator Duggan moved the adoption of the following amendment:

Amend by striking out all of the preamble of the Memorial beginning with the words in italics on page 1, to-wit: "*Present conditions of Forest-using Industries in Washington*" and including all down to the words: "*Now therefore be it resolved.*"

Senator Ronald moved that the amendment by Senator Duggan be laid on the table without taking the memorial with it.

The motion of Senator Ronald lost.

Senator Miller moved that the amendment by Senator Duggan be laid on the table.

Senators Norman, Stinson, Barnes, Lovejoy, Brunton, Smith, Murphy (Kebel) and Knutzen demanded a roll call on the motion by Senator Miller.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Miller and it lost by the following vote:

Those voting aye were: Senators Drumheller, Duggan, Farquharson, Ferryman, Kyle, McAulay, Miller, Morrow, Murfin, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—17.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd, Worum—28.

Absent or not voting: Senator Metcalf—1.

The amendment by Senator Duggan lost.

Senators Ryan (J. H.), Maxwell and Miller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 5 as amended and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Garrett, Keller, Knutzen, Lovejoy, McMillan, Mehner, Murphy (Kebel), Nelson, Nugent, Ronald, Shorett, Smith, Steele, Stinson, Thein—20.

Those voting nay were: Senators Drumheller, Duggan, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, McAulay, Miller, Morrow, Murfin, Murphy (James A.), Norman, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas, Todd, Worum—25.

The memorial, having failed to receive the constitutional majority, was declared lost.

Senator Norman gave notice that at the proper time he would move to reconsider the vote by which Senate Joint Memorial No. 5 failed to pass the Senate.

**Senate Bill No. 91:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Senate Bill No. 91, entitled: "An Act relating to intoxicating liquors, providing for the disposition of public funds, repealing Section 76 and amending Section 77 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington (Section 7306-76 and 77, Rem. Rev. Stat.), 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 2, line 16, by striking the comma after the word "amount" to and including the comma after "\$500,000.00." GEO. A. LOVEJOY, *Chairman.*

We concur in this report: J. W. Thein, El N. Steele, C. Nifty Garrett, L. E. Tewksbury, W. R. Orndorff, G. E. Kerstetter, D. O. Nugent, J. P. Keller, S. C. Roland, Joseph Drumbheller.

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

Senator Lovejoy moved the adoption of the committee amendment.

Senator Murphy (Kebel) moved that Senate Bill No. 91 be re-referred to the Committee on Judiciary.

Senators Maxwell, McAulay and Shorett demanded the previous question.

The previous question was ordered.

The motion of Senator Murphy (Kebel) lost.

The motion of Senator Lovejoy lost.

On motion of Senator Maxwell, the following amendment was adopted:

Amend Sec. No. 2, line 16 of the original bill, same being line 9 of the printed bill; strike out "\$500,000.00" and insert in lieu thereof "\$100,000.00."

Senators Kyle, Ryan (J. H.) and Todd demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 91 as amended and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumbheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—45.

Absent or not voting: Senator Metcalf—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 moved to dispense with the call of the Senate.

The motion lost.

**Senate Bill No. 56**, by Senator Dailey, entitled: "An Act relating to the application of monies received by the State under the provisions of Section 191, Title 30, United States Code, Annotated, and under Section 810, Chapter 12, Title 16, Conservation, as contained in the United States Code, Annotated," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 56 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—45.

Absent or not voting: Senator Metcalf—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 Joint Memorial No. 7**, by Senator Norman: "Relating to the repeal of Public No. 2 of the National Economy Act in so far as it reduces veterans' pensions and allowances," was read the third time.

Senator Murfin moved that all speeches be limited to one-half minute and no Senator be allowed to speak more than once.

Senator Ryan (J. H.) moved to amend the motion of Senator Murfin to "no Senator be allowed to speak more than five minutes and the author of the bill be allowed to open and close the debate."

The motion of Senator Ryan (J. H.) carried.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 7 and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Barnes, Dawson, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Murphy (James A.), Norman, Nugent, Roland, Ryan (J. H.), Ryan (Scott M.), Smith, Stinson, Thein—17.

Those voting nay were: Senators Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, Mehner, Miller, Morrow, Murfin, Murphy (Kebel), Nelson, Orndorff, Peirce, Reardon, Shorett, Steele, Tewksbury, Thomas, Todd, Worum—28.

Absent or not voting: Senator Metcalf—1.

The memorial, having failed to receive the constitutional majority, was declared lost.

Senator Reardon moved to dispense with further call of the Senate.

The motion lost.

Senator Miller gave notice that at the proper time he would move to reconsider the vote by which Senate Joint Memorial No. 7 failed to pass the Senate.

**House Joint Memorial No. 10**, by Representative McDonald (D. A.): "Urging continuation of the Home Owners' Loan Corporation relief to Home Owners," was read the third time.

The Secretary called the roll on the final passage of House Joint Memorial No. 10 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Those voting nay were: Senators Brunton, Keller, Ronald—3.

Absent or not voting: Senator Metcalf—1.

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

The Secretary read:

**REPORT OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 1, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Joint Memorial No. 11, relating to the Roza Reclamation Project and petitioning for the completion thereof by the Federal Government, have compared same with the En-grossed Joint Memorial and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, C. Nifty Garrett, W. J. Knutzen.

On motion of Senator Maxwell, the call of the Senate was dispensed with.

At 4:40 o'clock p. m. on motion of Senator Drumheller, the Senate adjourned until 11:00 o'clock a. m. Monday.

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

HARRISON W. MASON, *Secretary of the Senate.*

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**TWENTY-SECOND DAY**

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**MORNING SESSION.**

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**SENATE CHAMBER.****OLYMPIA, WASH., Monday, February 4, 1935.**

The Senate was called to order at 11:00 o'clock a. m. by President Victor A. Meyers pursuant to adjournment.

Reverend Samuel Everton of the Central Baptist Church of Olympia offered prayer.

The Secretary called the roll, all members being present except Senator Metcalf, who was excused, and Senators McAulay, Ronald, Stinson and Tewksbury.

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

On motion of Senator Shorett, Senators McAulay, Stinson and Ronald were excused.

On motion of Senator Roland, Senator Tewksbury was excused.

Senator Miller moved that the reconsideration of the vote by which Senate Joint Memorial No. 5 failed to pass the Senate be made a special order of business at 10:00 o'clock a. m. tomorrow morning.

The motion carried.

Senator Miller moved that the reconsideration of the vote by which Senate Joint Memorial No. 12 passed the Senate be made a special order of business at 10:15 o'clock a. m. tomorrow morning.

The motion carried.

Senator Miller moved that the reconsideration of the vote by which Senate Joint Memorial No. 7 failed to pass the Senate be made a special order of business at 10:40 o'clock a. m. tomorrow morning.

The motion carried.

The Secretary read:

**SENATE JOINT RESOLUTIONS.**

**Senate Joint Resolution No. 7**, by Senator Duggan: "Providing for the submission to the electors of the state of a constitutional amendment amending Section 1 of Article VII, of the Constitution of the State of Washington, relating to taxation."

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, ordered printed and referred to the Committee on Constitutional Revision.

**Senate Joint Resolution No. 8**, by Senator Steele: "Providing for a new and additional section to be added to and made a part of Article IV of the Constitution of the State of Washington, which section shall be known as Section 2(a), and relating to the Judiciary."

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

#### SENATE JOINT MEMORIALS.

**Senate Joint Memorial No. 13**, by Senator Mehner: "Relating to an appropriation for federal and state hospitals."

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

**Senate Joint Memorial No. 14**, by Senators Kyle and Gannon: "Relating to the employment of American citizens by American ships, and shipping companies, and particularly those receiving government subsidies."

The memorial was read the 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 Labor and Labor Statistics.

#### CONCURRENT RESOLUTION.

##### House Concurrent Resolution No. 9:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 1, 1935.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred House Concurrent Resolution No. 9: "Relating to the printing of Legislative Manuals," 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: J. H. Ryan, C. Nifty Garrett, James A. Murphy, Fred Norman.

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

On motion of Senator Murfin, the rules were suspended, the resolution read the second time by title and read the third time.

Senator Thomas moved the adoption of the following amendment:

Amend Resolution to read 500 Manuals instead of 1000.

The motion of Senator Thomas lost.

Senator Ryan (J. H.) moved the adoption of the following amendment:

"That the Secretary of State be the custodian of the manuals and the number of 250 be given him to be given out at his discretion."

The motion of Senator Ryan (J. H.) lost.

Senator Garrett moved the adoption of the following amendment:

"To place 500 copies of manuals in hands of Secretary of State, 250 copies to be retained for newly elected members."

The motion of Senator Garrett lost.

Senator Smith moved the adoption of the following amendment:

Strike the period at the end thereof and add the following: "and that 23 copies be retained by the Secretary of the Senate and 99 copies be retained by the Clerk of the House for the new members elected to the 1937 legislature."

The motion of Senator Smith lost.

On motion of Senator Murfin, the resolution was adopted.

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 1, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 5, entitled: "An Act to prevent the procreation of persons socially inadequate from defective inheritance, by authorizing and providing for the eugenical sterilization of certain potential parents carrying degenerate hereditary qualities," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, W. C. Dawson, J. W. Thein, Paul Mehner.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 1, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 91, entitled: "An Act relating to intoxicating liquors, providing for the disposition of public funds, repealing Section 76 and amending Section 77 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington (Section 7306-76 and 77, Remington's Revised Statutes), and declaring that this Act shall take effect immediately," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, Paul Mehner.

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

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 1, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 176; also

Senate Joint Memorial No. 11; also

House Bill No. 78; also

Engrossed House Bill No. 127, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION OF BILLS.**

**Senate Bill No. 137**, by Senator Steele, entitled: "An Act relating to the care of persons suffering from tuberculosis, authorizing the establishment, maintenance and operation of joint county sanatoria for the treatment of such persons, and providing state aid therefor."

The bill was read the first time, and on motion of Senator Steele, 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 Senators Nugent and Maxwell, entitled: "An Act relating to public streets and highways; declaring that certain streets and highways and the bridges thereon in incorporated cities and towns shall be a part of the state highway system allocating and directing the payment to the various incorporated cities and towns in certain proportions, of portions

of the funds collected and paid into the motor vehicle fund of the state treasury; providing for the expenditure of such funds by such cities and towns; prescribing penalties; making an appropriation and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Nugent, 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. 139**, by Senator Roland, entitled: "An Act relating to the issuance of search warrants in certain cases, and providing for the service thereof."

The bill was read the first time, and on motion of Senator Roland, 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 Orndorff, entitled: "An Act providing for the exemption of home, farms, and personal property used in homes from taxation, and repealing all laws in conflict therewith."

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 Public Welfare and Unemployment Relief.

**Senate Bill No. 141**, by Senator Nelson, entitled: "An Act providing for the drilling of a well and installing of a water system for the School for the Blind and the School for the Deaf at Vancouver, Washington, and making an appropriation."

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

**House Bill No. 78**, by Representative Ott, entitled: "An Act relating to political organizations, separate primary elections, minority parties nominating by convention and primary and general election ballots, and prohibiting the placing thereon of names of candidates of political organizations or parties advocating the overthrow of established government by force or violence and amending Chapter 88 of the Session Laws of 1901 by adding thereto a new section to be known as Section 2; and amending Chapter 209 of the Session Laws of 1907 by adding thereto a new section to be known as Section 26a."

The bill was read the first time, and on motion of Senator Steele, 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. 176**, by Committee on Appropriations, entitled: "An Act appropriating the sum of one hundred twenty-four thousand dollars (\$124,000.00), or so much thereof as may be necessary, for the payment of salaries and wages at the State College of Washington and declaring an emergency."

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

**Engrossed House Bill No. 127**, by Committee on Judiciary, entitled: "An Act relating to the filling of vacancies on the Supreme and Superior Courts of this State, and amending Sections 11044 and 11049 of Remington's Compiled Statutes of Washington."

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

**GENERAL FILE.**

**Initiative Measure to the Legislature No. 2:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

We, a part of your Committee on Elections and Privileges, to whom was referred Initiative to the Legislature No. 2, entitled: "An Act relating to primary elections, providing for a Blanket Primary Ballot, amending Sections 5185, 5187, 5189 and 5195 of Remington's Compiled Statutes of 1932, and repealing all laws in conflict therewith," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation, but with the following referendum clause attached:

"That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November 1936 this act shall be submitted to the qualified electors of the state for their approval and ratification, or rejection.

....., *Chairman.*

We concur in this report: Keiron W. Reardon, Joseph Drumheller.

SENATE CHAMBER,  
OLYMPIA, WASH., January 31, 1935.

MR. PRESIDENT:

We, a part of your Committee on Elections and Privileges, to whom was referred Initiative to the Legislature No. 2, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be enacted and referred by the Legislature to the people for approval or rejection at the next regular election, in accordance with Subdivision (a) of Section 1, Article II of the State Constitution.

....., *Chairman.*

We concur in this report: Earl Maxwell, James A. Murphy, Fred S. Duggan.

SENATE CHAMBER,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

We, a part of your Committee on Elections and Privileges, to whom was referred Initiative to the Legislature No. 2, 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: P. Frank Morrow, H. L. Nelson, J. P. Keller.

Senators Norman, Ryan (J. H.) and Miller demanded a call of the Senate.

The call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senator Metcalf, who was previously excused.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Peirce, the Senate proceeded under the call of the Senate.

Senators Drumheller, Miller and Maxwell demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Initiative to the Legislature No. 2, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bengtson, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Morrow, Murfin, Murphy (Kebel), Ronald, Ryan (J. H.), Ryan (Scott M.), Steele, Stinson, Thomas, Worum—22.

Those voting nay were: Senators Barnes, Brunton, Dailey, Dawson, Drumheller, Duggan, Garrett, Lovejoy, Maxwell, Miller, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Shorett, Smith, Thein, Todd—22.

Absent or not voting: Senators Metcalf, Tewksbury—2.

The initiative, having failed to receive the constitutional majority, was declared lost.

Senator Norman gave notice that at the proper time he would move to reconsider the vote by which Initiative to the Legislature No. 2 failed to pass.

**Senate Bill No. 40:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was re-referred amended Senate Bill No. 40, entitled: "An Act relating to public service companies, providing for additional supervision and regulation thereof, and amending Section 92 of Chapter 117 of the Session Laws of 1911, as amended by Section 1 of Chapter 182 of the Session Laws of 1913, as amended by Section 4 of Chapter 165 of the Session Laws of 1933 (Section 10441, 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 the amendment to Senate Bill No. 40 by striking all said amendment and inserting in lieu thereof the following:

"For rate making purposes, the Department shall consider the valuations placed upon the property of the public utility for taxation purposes. Such valuations for taxation purposes shall be prima facie evidence of the value of said property for rate making purposes."  
ED. PEIRCE, *Chairman.*

We concur in this report: P. Frank Morrow, Geo. F. McAulay, Paul G. Thomas, Kebel Murphy, John F. Worum, S. C. Roland, D. E. McMillan.

On motion of Senator Steele, the report of the committee was received. Senator Murphy (Kebel) moved that the call of the Senate be dispensed with.

The motion lost.

On motion of Senator Peirce, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 40 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan

(J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—36.

Those voting nay were: Senators Barnes, Brunton, Dawson, Drumheller, Duggan, Garrett, Maxwell, Murphy (Kebel)—8.

Absent or not voting: Senators Metcalf, Tewksbury—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 Miller, the rules were suspended, and bill was ordered engrossed and immediately transmitted to the House.

Senator Peirce moved that the call of the Senate be dispensed with. The motion lost.

#### Senate Bill No. 10:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., January 29, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Elections and Privileges, to whom was referred Senate Bill No. 10, entitled: "An Act relating to elections, providing for electors of president and vice-president of the United States and the method of voting for the same, amending Section 17 of Chapter XIII (13) of the Laws of 1889-90, page 406, as amended by Chapter CVI (106) of the Laws of 1891, as amended by Section 4 of Chapter CLVI (156) of the Laws of 1895, and as amended by Chapter LXXXIX (89) of the Laws of 1901, and amending Section 4 of Chapter 58 of the Laws of 1913, page 180, and amending Section 7 of Chapter 58 of the Laws of 1913, page 182, as amended by Section 2 of Chapter 114 of the Laws of 1915, page 325, and as amended by Section 6 of Chapter 178 of the Laws of 1921, page 703, and amending Section 14 of Chapter 58 of the Laws of 1913, page 191, as amended by Section 8 of Chapter 114, of the Laws of 1915, page 332, and repealing Section 2 of Chapter CXVIII (148) of the Laws of 1891, page 364," 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:

Section 2, line 13 of the printed bill, Section 2, lines 27 and 28 of the original bill, strike the words "members of."

Section 17, line 21 of the printed bill, Section 3, line 3 of the original bill, after the word "whose" insert the words "candidates for presidential electors or."

H. I. KYLE, *Chairman*.

We concur in this report: K. W. Reardon, Joseph Drumheller, J. P. Keller, J. A. Murphy, P. Frank Morrow, Fred S. Duggan.

On motion of Senator Kyle, the committee amendments were adopted.

On motion of Senator Kyle, the following amendment was adopted:

Amend Sec. 7, line 27 of the printed bill by striking the figures "148" and inserting in lieu thereof the figures "118."

On motion of Senator Kyle, the following amendment was adopted:

Amend the title of the bill by striking the figures "148" in the next to the last line of the printed bill, and inserting in their place the figures "118."

Senators Reardon, Kyle and McAulay demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 10 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—39.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Norman—5.

Absent or not voting: Senators Metcalf, Tewksbury—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 Steele gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 10 passed the Senate.

**Senate Bill No. 73**, by Senator Murfin, entitled: "An Act relating to justice courts, fixing the venue of civil actions therein, and amending Section 1 of Chapter 75 of the Laws of 1929," was read the third time.

Senators Maxwell, Ronald and Nelson demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 73 and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—44.

Absent or not voting: Senators Metcalf, Tewksbury—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, the call of the Senate was dispensed with.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 157; also

The Speaker has signed House Joint Memorial No. 10; also

The House has passed House Bill No. 154; also

The Speaker has signed Senate Joint Memorial No. 8; also Senate Joint Memorial No. 11, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Joint Memorial No. 10.

At 12:45 o'clock p. m. on motion of Senator Maxwell, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## TWENTY-THIRD DAY

### MORNING SESSION.

#### SENATE CHAMBER.

OLYMPIA, WASH., Tuesday, February 5, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers pursuant to adjournment.

Reverend Samuel Everton of the Central Baptist Church of Olympia offered prayer.

The Secretary called the roll, all members being present.

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

Senators Miller, Kyle and Norman demanded a call of the Senate.

The call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Miller, the Senate proceeded under the call of the Senate.

The Secretary read:

#### SENATE RESOLUTION.

By Edmund J. Miller:

RESOLVED, That the courtesies of the Senate be extended to representatives of national press services and the daily newspapers now in attendance on twenty-fourth session of the Washington State Legislature, and that the following named persons be assigned seats at the Senate Press table:

Ben H. Connor, E. Q. Anderson, Frank G. Gorrie and W. H. McCallum of Associated Press; Arthur L. Schoeni and Hector Fox of the United Press; James D. K. Brown, general correspondent; J. W. Gilbert, Seattle Times; George A. Miller and Paul W. Harvey, Jr., Tacoma News Tribune; Lester M. Hunt, Seattle Post-Intelligencer; Clancey M. Lewis, Daily Journal of Commerce; M. M. Mattison, general correspondent; R. A. Seelig, Spokesman Review; and Robert L. Thomas, Wenatchee World; Joe Smith, Ryan's Weekly; C. E. Arney, Jr., Daily Commentator, K.O.L.

On motion of Senator Miller, the Senate resolution was adopted.

#### SENATE JOINT MEMORIALS.

The Secretary read:

Senate Joint Memorial No. 15 by Senator Maxwell: "Asking Congress for relief to owners of residential property."

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

Senate Joint Memorial No. 16, by Senator McMillan: "For the relief of farmers against agricultural indebtedness."

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, ordered printed and referred to the Committee on Memorials.

On motion of Senator Murfin, Rule No. 63 was suspended.

Senator Norman moved that the Senate reconsider the vote by which Senate Joint Memorial No. 5 failed to pass the Senate.

Senators Norman, Peirce, Farquharson, Kyle, Nugent, Ryan (Scott M.), Ryan (J. H.) and Steele demanded a roll call on the motion by Senator Norman.

The Secretary called the roll on the motion by Senator Norman to reconsider Senate Joint Memorial No. 5, and the motion was carried by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Ferryman, Garrett, Knutzen, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Nelson, Norman, Nugent, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Worum—26.

Those voting nay were: Senators Drumheller, Duggan, Farquharson, Gannon, Keller, Kerstetter, Kyle, McAulay, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Orndorff, Peirce, Reardon, Roland, Ryan (Scott M.), Thomas, Todd—20.

#### RECONSIDERATION.

##### Senate Joint Memorial No. 5:

On motion of Senator Ryan (J. H.), the following amendment was adopted:

In the second paragraph on page 4, beginning with the words "That adequate protection, etc." strike all of the Section.

Senator McAulay moved the adoption of the following amendment:

Strike paragraph number 1 in the resolution portion of the Memorial.

Senator Lovejoy moved that the amendment of Senator McAulay be laid on the table without taking the memorial with it.

Senators Norman, Kyle, McAulay, Lovejoy, Maxwell, Steele, Barnes and Bengtson demanded a roll call on the motion by Senator Lovejoy.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Lovejoy and it lost by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Ferryman, Knutzen, Lovejoy, Maxwell, McMillan, Mehner, Metcalf, Norman, Nugent, Ronald, Ryan (J. H.), Smith, Stinson, Thein, Worum—19.

Those voting nay were: Senators Dailey, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, McAulay, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Peirce, Reardon, Roland, Ryan (Scott M.), Shorett, Steele, Tewksbury, Thomas, Todd—27.

Senator Drumheller moved that the motion by Senator McAulay be laid on the table.

Senators Lovejoy, Norman, Ryan (J. H.), Miller, Farquharson, McAulay, Stinson and Morrow demanded a roll call on the motion by Senator McAulay.

A roll call was ordered.

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

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, McAulay.

Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Orndorff, Peirce, Reardon, Roland, Ryan (Scott M.), Tewksbury, Thomas, Todd, Worum—25.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Knutzen, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Nelson, Norman, Nugent, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Thein—21.

#### RECONSIDERATION.

Senator Miller moved that the Senate now reconsider the vote by which Senate Joint Memorial No. 7 failed to pass the Senate.

The motion carried.

On motion of Senator Tewksbury, the following amendment was adopted:

In paragraph No. 2, line 3 of the printed bill after the word "moment," place a period (.) and strike the balance of the paragraph.

Senator Reardon moved the adoption of the following amendment:

Amend paragraph two, line 1, strike words "Public No. 2."

The motion lost.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 7 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Dailey, Dawson, Ferryman, Kerstetter, Knutzen, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas—29.

Those voting nay were: Senators Bengtson, Brunton, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kyle, Murfin, Murphy (Kebel), Nelson, Orndorff, Reardon, Ronald, Todd, Worum—17.

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

#### RECONSIDERATION.

Senator Miller moved that the Senate reconsider the vote by which Senate Joint Memorial No. 12 passed the Senate.

The motion carried.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 12 and it failed to pass by the following vote:

Those voting aye were: Senators Barnes, Keller, Kerstetter, McMillan, Mehner, Murphy (Kebel), Norman, Nugent, Ryan (Scott M.), Shorett, Smith, Steele—12.

Those voting nay were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Stinson, Tewksbury, Thein, Thomas, Todd, Worum—34.

The memorial, having failed to receive the constitutional majority, was declared lost.

**RECONSIDERATION.**

Senator Norman moved that the Senate now reconsider the vote by which Initiative to the Legislature No. 2 failed to pass the Senate.

Senator Peirce moved that the motion of Senator Norman be laid on the table.

Senators Norman, Lovejoy, Nelson, Todd, Peirce, Murfin, Kyle and Miller demanded a roll call on the motion by Senator Peirce.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Peirce and it lost by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Garrett, Maxwell, Miller, Murphy (James A.), Murphy (Kebel), Orndorff, Peirce, Reardon, Roland, Shorett, Smith, Thein, Thomas—16.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Nelson, Norman, Nugent, Ronald, Ryan (J. H.), Ryan (Scott M.), Steele, Stinson, Tewksbury, Todd, Worum—30.

Senators Ryan (J. H.), Morrow, Norman, Kyle, Nugent, Reardon, Farquharson and Bengtson demanded a roll call on the motion by Senator Norman.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (Kebel), Nelson, Norman, Nugent, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Todd—30.

Those voting nay were: Senators Dailey, Dawson, Drumheller, Duggan, Garrett, Maxwell, Miller, Murphy (James A.), Orndorff, Peirce, Reardon, Roland, Smith, Thein, Thomas, Worum—16.

Senator Duggan presented a referendum clause to the Initiative to the Legislature No. 2, stating that it was not presented as a motion to amend the Initiative.

The President ruled that the clause presented was out of order.

Senators Duggan, Murphy (James A.) and Miller appealed from the decision of the chair.

The President stated the question to be: "Shall the ruling of the Chair stand as the judgment of the Senate?"

Senators Nugent, Morrow, Mehner, Norman, Thomas, Kyle, Kerstetter and Ryan (J. H.) demanded a roll call on the appeal from the decision of the Chair.

The Secretary called the roll on the appeal from the decision of the Chair and the decision of the Chair was sustained by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Ronald, Ryan (J. H.), Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—35.

Those voting nay were: Senators Dailey, Drumheller, Duggan, McAulay, Murphy (James A.), Peirce, Reardon, Roland, Ryan (Scott M.), Shorett, Smith—11.

Senators Morrow, Maxwell and Nugent demanded the previous question. The previous question was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Norman, Nugent, Ronald, Ryan (J. H.), Steele, Stinson, Tewksbury, Thomas, Todd, Worum—27.

Those voting nay were: Senators Brunton, Dailey, Dawson, Drumheller, Duggan, Garet, Maxwell, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Peirce, Reardon, Roland, Ryan (Scott M.), Shorett, Smith, Thein—19.

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

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

On motion of Senator Maxwell, the call of the Senate was dispensed with.

At 12:20 o'clock p. m., on motion of Senator Maxwell, the Senate recessed until 1:30 o'clock p. m.

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### AFTERNOON SESSION.

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The Senate reconvened at 1:30 o'clock p. m., Senator Peirce in the Chair. The Secretary read:

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 40, entitled: "An Act relating to public service companies, providing for additional supervision and regulation thereof, and amending Section 92 of Chapter 117 of the Session Laws of 1911, as amended by Section 1 of Chapter 182 of the Session Laws of 1913, as amended by Section 4 of Chapter 165 of the Session Laws of 1933 (Section 10441, Remington's Revised Statutes)," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Engrossed House Bill No. 45, entitled: "An Act amending Section 204 of Chapter 36 of the Laws of 1917 (Section 4031 of Pierce's Code; Section 8839 of Remington's Revised

Statutes); providing for a just weighing of coal for miners, posting and checking weights, and the employment and deduction of check-weighmen; and providing penalties for its violation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOSEPH DRUMHELLER, *Chairman*.

We concur in this report: S. C. Roland, W. G. Ronald, James Dailey, W. R. Orndorff, C. Nifty Garrett, Horace E. Smith.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 111, 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 State Institutions, 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.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: D. O. Nugent, G. B. Kerstetter, W. C. Dawson, E. L. Brunton, Ed. Peirce, Kathryn E. Malstrom, Geo. A. Lovejoy, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 2, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 36, entitled: "An Act relating to the sale of property under execution, decree or order of sale; and amending Section 1 of Chapter 69 of the Laws of 1927 (Section 582 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.

E. N. STEELE, *Chairman*.

We concur in this report: Fred S. Duggan, Chas. F. Stinson, Judson W. Shorett, James A. Murphy, Geo. F. McAulay, A. M. Murfin, E. L. Brunton, H. I. Kyle, John F. Worum.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Reclamation and Irrigation, to whom was referred House Bill No. 116, entitled: "An Act relating to the powers and duties of the director of the Department of Conservation and Development of the State of Washington, amending Section 1 of Chapter 13, Laws of the Extraordinary Session 1933 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.

W. J. KNUTZEN, *Chairman*.

We concur in this report: Horace E. Smith, W. G. Ronald, Geo. F. McAulay, Chas. F. Stinson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

We, your Committee on Aeronautics, to whom was referred Senate Joint Resolution No. 6: "Providing for the Petitioning of Congress of the United States to repeal certain acts pertaining to mail contracts in the aeronautical service," have had the

same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

CHARLES H. TODD, *Chairman.*

We concur in this report: C. F. Stinson, Geo. W. Lovejoy, D. O. Nugent.

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

The Committee on Judiciary recommended that Senate Bill No. 32 do pass as amended.

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

The Committee on Financial Institutions Other Than Banks 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.

The Secretary read:

#### REPORT OF SPECIAL COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

We, the Committee on Investigation of the Washington Emergency Relief Administration, appointed pursuant to Senate Resolution introduced by Senator Kebel Murphy, have conducted hearings, inspected reports, and verified data to obtain information for the purpose of determining whether or not further investigation into the practices and policies of the said WERA should be made.

We wish at the outset to report to you that these hearings and investigations have been conducted by your committee, in conjunction with the House committee appointed pursuant to a similar resolution, at a cost of approximately one hundred and twenty-five dollars. Although each body, by resolution, provided for a separate investigation, and ordered that the necessary expenses thereof be charged against the moneys already appropriated for this session of the Legislature, a proper idea of economy and due regard for the best procedure dictated a single investigation by the two committees acting in conjunction and accord.

We have found the following existing conditions:

That the personnel of the Washington Emergency Relief Administration has been picked largely because of political affiliation, relationship, friendship, and membership in various organizations.

That the expenses of the WERA are exorbitant; that the personnel is paid larger salaries than many of them have ever before received; that there has been a great deal of waste.

That many improper disbursements have been made; that many of these improper disbursements could be recovered by proper action. That in many cases either relationship, friendship, or political affiliation were of major consideration in the making of purchases. That records have been improperly kept and in many instances altered or destroyed. That favoritism is frequently shown in the letting of contracts and much evidence has been adduced to substantiate many instances of graft.

That relief funds have been and are now being expended through private corporations; that the Rural Rehabilitation Corporation was organized and its articles filed on the 19th of December, 1934; that prior to the convening of the Legislature, the incorporators of this corporation amended the articles extending its life for a period of fifty years; that this was in direct conflict with an opinion of the state attorney general rendered at the time of the filing of the articles; that the Legislature was not advised of any amendments having been filed by said corporation; that this corporation is about to spend hundreds of thousands of dollars.

That projects have been set up by the Washington Emergency Relief Administration for the purpose of paying the personnel of private corporations; that there is substantial evidence of conspiracy between the Washington Emergency Relief Administration and various social service organizations to continue this relief set-up for the purpose of furthering their own interests.

That no official check of the Washington Emergency Relief Administration has ever been made by the director of efficiency or any other auditing department of the

state. That none of the reports made by the examiners of the department of efficiency was formally filed.

That many instances of discrimination, failure to provide relief where needed, and inadequate provision for needy families are recorded and on file with your committee. That the general level of relief allowance is too low and that little or no account has been taken of increased food costs in compiling budgets.

That no accounting has ever been given to the public setting forth the projects by amount and showing just how the money on these projects was spent.

That the committee regrets to report that it has not received the cooperation from those in a position to furnish it information which it had a right to receive.

Recognizing the difficulties incident to setting up a tremendous organization for relief within the state, and the sincere efforts of some officials to serve, we, your committee, investigating as directed, recommend:

That a major investigation of the Washington Emergency Relief Administration set-up be made at once for the purpose of determining the truth or untruth of these charges in order to prosecute the people involved, if true; and to exonerate them, if untrue. That sufficient funds be appropriated to carry on a major audit and investigation.

That a joint committee, consisting of three members of the Senate, to be selected by the President of the Senate, and four members of the House of Representatives, to be selected by the Speaker of the House, be appointed to carry on this investigation through the interim. That the committee be given power to subpoena and examine witnesses under oath; compel attendance of witnesses; administer oaths; compel the production of books and papers; compel all state officials, as deemed necessary, to appear before said investigating committee; employ counsel, stenographers, reporters, clerks, investigators, and accountants; institute criminal or civil actions, as the case might be; and prosecute violators and recover improper disbursements.

Respectfully submitted,

KEBEL MURPHY, *Chairman,*

CHAS. F. STINSON,

H. I. KYLE

*Washington Emergency Relief Administration  
Investigating Committee.*

Senator Murphy (Kebel) moved that the report of the committee be accepted.

Senator Drumheller moved that the motion of Senator Murphy (Kebel) be laid over until mimeographed copies of the report were distributed to the members of the Senate.

Senators Farquharson, Kerstetter and Dailey demanded the previous question.

The previous question was ordered.

The motion of Senator Drumheller lost.

The motion of Senator Murphy (Kebel) carried.

On motion of Senator Farquharson, the committee investigating the WERA was ordered continued for the purpose of bringing in additional reports.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 68; also

House Bill No. 69; also

House Bill No. 86; also

House Bill No. 87; also

The Speaker has signed House Concurrent Resolution No. 9; also

The House has passed Engrossed House Bill No. 39; also Engrossed House Bill No. 64; also House Bill No. 109; also House Bill No. 110; also House Bill No. 111; also House Bill No. 112; also House Bill No. 113; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

**Senate Bill No. 142**, by Senator Stinson, entitled: "An Act relating to the tax levy for the reclamation revolving fund, and amending Section 12, Chapter 158 of the Laws of 1919, as amended by Section 1, Chapter 218, of the Laws of 1927; Section 1, Chapter 94 of the Laws of 1929, and Section 1, Chapter 80 of the Laws of 1931 as amended by Chapter 24 of Laws of 1933."

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 and Irrigation, Dikes, Drains and Ditches.

**Senate Bill No. 143**, by Senator Reardon, entitled: "An Act relating to revenue and taxation; providing for the use of facts and information obtained under the provisions of Chapter 191, Laws of 1933, as amended; prescribing limits upon such use; providing penalties for the violation thereof; amending Section 27, Chapter 191, Laws of 1933; and declaring that this act shall take effect immediately."

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. 144**, by Senator Norman, entitled: "An Act relating to clams; authorizing the digging and taking thereof as in this act provided; providing for issuance and revocation of certain licenses and fixing the fees thereof; and prescribing penalties for the violation of this act."

The bill was read the first time, and on motion of Senator Norman, 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. 145**, by Senator Morrow, entitled: "An Act regulating and licensing the practice of Physio-Medicine and Surgery and creating a Board of Examiners for such practitioners, defining the powers and duties of such Board, defining the term "Physio-Medicine," defining what shall be unprofessional conduct, defining the term "College of Physio-Medicine and Surgery," and providing penalties for the 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 Morrow, 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. 146**, by Senator Garrett, entitled: "An Act to provide for obtaining the opinion of the Justices of the Supreme Court, or a ma-

majority thereof by the Governor or either house of the Legislature upon important constitutional questions."

The bill was read the first time, and on motion of Senator Garrett, 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. 147**, by Senators Miller, Roland, Murphy (Kebel), Bengtson, Kerstetter and Ryan (J. H.), entitled: "An Act relating to short firearms and other weapons; defining terms; regulating the sale, possession and use thereof; providing for certain licenses and fixing fees; defining certain crimes and prescribing penalties."

The bill was read the first time, and on motion of Senator Miller, 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. 148**, by Senators Miller, Roland, Murphy (Kebel), Kerstetter, Ryan (J. H.) and Bengtson, entitled: "An Act relating to narcotics; defining terms; regulating the sale, possession, traffic in and use thereof; providing for certain licenses and fixing fees; defining certain crimes; prescribing penalties and repealing all laws in conflict herewith."

The bill was read the first time, and on motion of Senator Miller, 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. 149**, by Committee on Rules and Joint Rules (by executive request), entitled: "An Act relating to the rate of interest to be paid by the state depositories upon moneys deposited by the commissioner of public lands and amending Section 4, Chapter 51 of the Laws of 1911 (Section 5558, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Peirce, 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. 150**, by Committee on Rules and Joint Rules (by Agriculture Dept.), entitled: "An Act to prevent fraud or misrepresentation in the distribution and sale of 'gasoline' or other motor fuel, distillate, kerosene and lubricating oil; regulating the sale and distribution of such products; defining the powers and duties in relation thereto of the Director of Agriculture, and persons authorized by him; defining 'gasoline' and prescribing specifications for products sold or offered for sale as 'gasoline'; describing penalties for the violation of provisions hereof; repealing acts and parts of acts inconsistent herewith; providing for licensing of gas dispensing equipment and providing for an appropriation."

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. 151**, by Committee on Rules and Joint Rules (by executive request), entitled: "An Act providing for the investment of the Permanent School fund, the permanent funds of the normal schools, state university, scientific school, agricultural college, charitable, educational, penal and reformatory institutions, and declaring an emergency."

The bill was read the first time, and on motion of Senator Peirce, 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. 152**, by Committee on Rules and Joint Rules (by executive request), entitled: "An Act relating to the General Obligation Bonds of 1933 Retirement Fund, providing that money in said fund may be invested in United States government certificates, notes and bonds or in General Obligation Bonds of 1933 of the State of Washington by the state finance committee."

The bill was read the first time, and on motion of Senator Peirce, 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. 153**, by Committee on Rules and Joint Rules (by Board of Public Works), entitled: "An Act relating to steamboat companies, providing for additional regulation and amending Chapter 117 of the Laws of 1911 as amended by Section 1 of Chapter 248 of the Laws of 1927 (Section 10361-2, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Steele, 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. 154**, by Committee on Rules and Joint Rules (by Insurance Department), entitled: "An Act relating to the qualification, licensing and regulation of insurance agents, brokers and solicitors; amending Section 7089, of Remington's Compiled Statutes, being Section 45, Chapter 49, Laws of 1911, as amended by Section 9, Chapter 177, Laws of 1915, as amended by Section 3, Chapter 26, Laws of 1923."

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. 155**, by Committee on Rules and Joint Rules (Agricultural Department), entitled: "An Act declaring the existence of a state and national agricultural emergency; declaring the policy of the legislature; providing for the regulation and control of the production, storage, transportation, advertising, merchandising, sale and distribution of agricultural commodities; approving and adopting the provisions of the National Agricultural Adjustment Act and any marketing agreement or license approved or prescribed by the Secretary of Agriculture of the United States; defining marketing agreements; regulating the purchase of agricultural commodities by the state or its subdivisions; establishing standards of fair competition; empowering the Director of Agriculture, with the approval of the Governor, to adopt or prescribe marketing agreements, to make rules and regulations to control the productions, storage, transportation, advertising, merchandising, sale and distribution of agricultural commodities, and to issue, suspend or revoke licenses or processing agricultural products; designating the persons entitled to licenses; granting jurisdiction to courts for the enforcement of this act and marketing agreements approved or prescribed hereunder; making it unlawful for any person to engage in handling, retailing, processing or wholesaling agricultural products without a license; fixing license fees; making an appropriation for the administration of this

act; defining agricultural commodities; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Peirce, 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. 156**, by Committee on Rules and Joint Rules (by Board of Public Works), entitled: "An Act relating to public service companies, providing for additional supervision and regulation thereof, amending Sections 6 and 86 of Chapter 117 of the Session Laws of 1911, Section 87 of Chapter 117 of the Session Laws of 1911 as amended by Section 6 of Chapter 165 of the Session Laws of 1933, Section 1 of Chapter 113 of the Session Laws of 1921 as amended by Section 1 of Chapter 107 of the Session Laws of 1923 as amended by Section 1 of Chapter 107 of the Session Laws of 1929, Sections 12 and 13 of Chapter 165 of the Session Laws of 1933 (Sections 10342, 10428, 10429, 10417, 10458-6, 10458-7 respectively of Remington's Revised Statutes), and repealing Sections 2 and 3 of Chapter 117 of the Session Laws of 1911, Sections 4 and 7 of Chapter 117 of the Session Laws of 1911 (Sections 10340 and 10343 of Remington's Revised Statutes), Section 11 of Chapter 154 of the Session Laws of 1933, and declaring that this act shall take effect immediately."

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 Public Utilities.

**Senate Bill No. 157**, by Committee on Rules and Joint Rules (by Insurance Department), entitled: "An Act relating to insurance; amending Section 101, Chapter 49, Laws of 1911 (Section 7146, Remington's Compiled Statutes of Washington); providing for inspection and clearance by a bureau designated by the State Insurance Commissioner of daily reports of insurance written; providing for penalties for violation hereof; and declaring that this act shall take effect immediately."

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 Insurance.

**House Bill No. 68**, by Representative Yantis, entitled: "An Act relating to the organization, management, powers and supervision of Savings and Loan Associations; providing for cooperation with the Federal Government to encourage improvement in housing conditions under the National Housing Act; providing for the investment of funds in obligations insured and obligations issued under said act and amending Sections 49, 52 and 56 of Chapter 183 of the Session Laws of 1933 by adding thereto new sections to be known as Sections 49a, 52a and 56a, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Steele, 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. 69**, by Representative Yantis, entitled: "An Act relating to and regulating investment by mutual savings banks, and amending Chapter 74 of the Laws of 1929 by adding thereto Section 3a, declaring an emergency 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, and referred to the Committee on Banks and Banking.

**House Bill No. 86**, by Representative Yantis, entitled: "An Act relating to the investment and management of trust funds, amending Section 1 and Section 3, Chapter 37, of the Laws of Extraordinary Session, 1933."

The bill was read the first time, and on motion of Senator Peirce, 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. 87**, by Representative Yantis, entitled: "An Act relating to insurance and the investment of funds of any insurance company in insured obligations of the Federal Government and providing for cooperation and investments pursuant to the 'National Housing Act,' providing for deposit of such obligations wherein deposit is required by law, or otherwise, amending Chapter 112 of the Laws of 1921 by adding thereto a new section and declaring an emergency."

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

**House Bill No. 154**, by Committee on Rules and Order (by departmental request), entitled: "An Act making a deficiency appropriation for salaries and wages for the Department of Licenses and declaring an emergency."

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

**House Bill No. 157**, by Committee on Rules and Order (by departmental request), entitled: "An Act making appropriation for the payment of salaries of certain officers and employees of the State for the operation, maintenance and other expenses of the State Penitentiary, and declaring this act shall take effect immediately."

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 on Appropriations.

#### GENERAL FILE.

**Senate Concurrent Resolution No. 4**, by Senator Garrett, entitled: "A Resolution amending Joint Rule No. 19," was read the third time.

On motion of Senator Steele, the following amendment was adopted:

Amend said resolution, line 4, by inserting after the word "brackets" and before the period (.), the following: ", to be indicated in the typewritten bill by a double parenthesis."

On motion of Senator Steele, the following amendment was adopted:

Amend said resolution by deleting the period (.) which occurs after the figure "18" in the last line thereof, substituting therefor a semi-colon (;) and adding the following words: "or, if the deleted part is in excess of eight lines, then eight lines shall be reproduced followed by 'etc.' to show that the entire part is not reproduced."

On motion of Senator Garrett, Senate Concurrent Resolution No. 4 was adopted.

On motion of Senator Lovejoy, the rules were suspended, the resolution was ordered engrossed and immediately transmitted to the House.

Senators Maxwell and Smith were excused to work on road legislation. The President signed House Concurrent Resolution No. 9.

**Engrossed House Bill No. 115**, by Committee on Education, entitled: "An Act relating to elections and to precinct election boards and the appointments thereof, amending Section 1, of Chapter 29 of the Laws of the Extraordinary Session of 1933, and declaring an emergency," was read the third time.

On motion of Senator Gannon, the following amendment was adopted:

Amend Sec. 2, line 24 of the printed bill, by striking the figures "5132" and substitute in lieu thereof the figures "5152."

The Secretary called the roll on the final passage of Engrossed House Bill No. 115 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—38.

Those voting nay were: Senators Duggan, Murfin, Reardon—3.

Absent or not voting: Senators Maxwell, Murphy (Kebel), Roland, Ryan (J. H.), Smith—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. 88**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to banks, trust companies and mutual savings banks; providing for the issuance of capital notes or debentures; defining the meaning thereof and construing the term capital as used herein; providing such capital notes and debentures shall be subordinate to depositors and other creditors; that capital stock may be carried on the books at less than par; that no assessment shall be levied upon the holders of capital notes or debentures; repealing all acts and parts of acts in conflict herewith," was read the third time.

Senator Peirce moved the adoption of the following amendment:

Amend Section No. 2. In line 10 of the printed bill following the word "debentures" insert the following: "to any financial agency of the United States."

The motion of Senator Peirce lost.

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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—40.

Absent or not voting: Senators Ferryman, Maxwell, Murphy (Kebel), Roland, Ryan (J. H.), Smith—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. 89**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to banks and trust companies; providing for the repayment of sums deposited with the State Treasury as superadded liability of stockholders; repealing Section 4, Chapter 42, Laws of 1933 (Remington's Revised Statutes, Section 3229-2; Pierce's Washington Code Section)," was read the third time.

On motion of Senator Steele, the following amendment was adopted:

Amend the bill by striking the semicolon (;) in Sec. 2, line 7 of the printed bill, and inserting in lieu thereof a period (.). Further amend the bill by striking the words "Pierce's Washington Code section."

On motion of Senator Steele, the following amendment was adopted:

Amend the title of the bill by striking the semicolon (;) before the word "Pierce's" and inserting in lieu thereof a period (.). Further amend the title by striking therefrom the words "Pierce's Washington Code section."

Senators Kyle, Garrett and Ryan (Scott M.) demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 89 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—41.

Absent or not voting: Senators Ferryman, Maxwell, Murphy (Kebel), Roland, Smith—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., February 5, 1935.

MR. PRESIDENT:

The House has passed Substitute House Joint Memorial No. 15, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Lovejoy requested the use of the Senate Chamber at 7:00 o'clock p. m. tonight for the Committee on Medicine, Dentistry, Pure Food and Drugs for a public hearing, and the request was granted.

At 3:30 o'clock p. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## TWENTY-FOURTH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, February 6, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Samuel Everton, of the Central Baptist Church of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senators Shorett and Barnes.

On motion of Senator Murphy (James A.), Senator Shorett was excused.

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

Senator Peirce moved that further consideration of Senate Joint Resolution No. 9 be made a special order of business at 11:00 o'clock a. m.

The motion carried.

The Secretary read:

**Substitute House Joint Memorial No. 15**, by Committee on Agriculture: "Relating to the action of the President of the United States in lifting the tariff on hay and live stock feed from Canada, and the action by the Secretary of Agriculture in signing an agreement authorizing an 'Agency for deficiency distribution' for the distribution in the United States of wheat, other grains, hay and live stock feed from Canada."

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.

The Secretary read:

### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 89, entitled: "An Act relating to banks and trust companies; providing for the repayment of sums deposited with the state treasurer as superadded liability of stockholders; repealing Section 4, chapter 42, Laws of 1933 (Remington's Revised Statutes, Section 3229-2)," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, J. W. Thein.

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 10, entitled: "An Act relating to elections, providing for electors of president and vice-president of the United States and of the method of voting for the same, amend-

ing Section 17 of Chapter XIII (13) of the Laws of 1889-90, page 406, as amended by Chapter CVI (106) of the Laws of 1891, as amended by Section 4 of Chapter CLVI (156) of the Laws of 1895, and as amended by Chapter LXXXIX (89) of the Laws of 1901, and amending Section 4 of Chapter 58 of the Laws of 1913, page 180, and amending Section 7 of Chapter 58 of the Laws of 1913, page 182, as amended by Section 2 of Chapter 114 of the Laws of 1915, page 325, and as amended by Section 6 of Chapter 178 of the Laws of 1921, page 703, and amending Section 14 of Chapter 58 of the Laws of 1913, page 191, as amended by Section 8 of Chapter 114 of the Laws of 1915, page 332, and repealing Section 2 of Chapter CXVIII (118) of the Laws of 1891, page 364," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: P. Frank Morrow, J. W. Thein.

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Concurrent Resolution No. 4, "Amending Joint Rule No. 19," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: P. Frank Morrow, J. W. Thein.

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Joint Memorial No. 7, "Relating to the repeal of Public No. 2 of the National Economy act insofar as it reduces veterans' pensions and allowances," have compared same with the original memorial and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: P. Frank Morrow, J. W. Thein.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate Bill No. 92, entitled: "An Act relating to a system of student fees in the State College of Washington and providing for the collection and disposition of the same, exemptions therefrom, and amending Sections one and two, three and four of Chapter 164 of the Laws of 1921, and repealing Section 1 of Chapter 9 of the Laws of the Extraordinary Session 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.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: H. I. Kyle, Mary U. Farquharson, A. M. Murfin, Scott M. Ryan, Geo. H. Gannon, Kathryn E. Malstrom.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate Bill No. 83, entitled: "An Act providing for instruction in public service in the University of Washington and in the Washington State College," 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: H. I. Kyle, Mary U. Farquharson, A. M. Murfin, Scott M. Ryan, Geo. H. Gannon, Kathryn E. Malstrom.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 14, entitled: "An Act to provide an institution for the confinement, cure and rehabilitation of drug addicts and providing for the government, maintenance and control thereof, and providing for the admission and commitment of drug addicts thereto, and providing penalties for unlawfully conniving to have persons adjudged drug addicts, and providing penalties for procuring the escape or aiding or abetting the escape of inmates thereof and/or the harboring and concealing of escaped inmates thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

D. O. NUGENT, *Chairman*.

We concur in this report: G. B. Kerstetter, Edmund J. Miller, Paul G. Thomas, Earl Maxwell, H. L. Nelson.

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

A majority of the Committee on Liquor Control recommended that House Concurrent Resolution No. 7 do pass as amended.

A minority of the Committee on Liquor Control recommended that House Concurrent Resolution No. 7 do not pass.

The reports of the committee, together with the resolution, were placed on general file.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 10; also

Engrossed House Bill No. 89; also

House Bill No. 143, and the same are herewith transmitted; also

The House has concurred in the Senate amendment to Engrossed House Bill No. 115 and passed the bill as amended.

S. R. HOLCOMB, *Chief Clerk*.

#### INTRODUCTION OF BILLS.

Senate Bill No. 158, by Senator Knutzen, entitled: "An Act authorizing property to be withdrawn from a diking and/or drainage district when such property ceases to be benefited by the improvements of such district, and providing procedure therefor."

The bill was read the first time, and on motion of Senator Knutzen the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Reclamation and Irrigation, Dikes, Drains and Ditches.

Senate Bill No. 159, by Senator Knutzen, entitled: "An Act giving and granting additional powers to the commissioners of drainage districts, defining same within the meaning of this act, providing for the extension, im-

provement, and betterment of the systems therein and for the protection of such district, providing for the levy and collection of assessments against land within the boundaries of said district, granting the right of eminent domain, and providing procedure for the accomplishing of all such purposes, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Knutzen the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Reclamation and Irrigation, Dikes, Drains and Ditches.

**Senate Bill No. 160**, by Senator Knutzen, entitled: "An Act authorizing issuance and sale of bonds for diking and drainage districts to fund and redeem outstanding warrants of such district; providing for the call of such warrants and cessation of interest thereon; for registration of such bonds; exchange thereof for warrants; the levy of assessments for the payment of principal and interest thereon; determining how the same is chargeable; providing for the collection thereof; the fund into which the same shall be put; the call, payment, and redemption of such bonds; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Knutzen the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Reclamation and Irrigation, Dikes, Drains and Ditches.

**Senate Bill No. 161**, by Committee on Rules and Joint Rules (by Insurance Commissioner's request), entitled: "An Act relating to insurance, amending Sections 73 and 74 of Chapter 49, Laws of 1911, further amending said chapter by adding thereto three new sections to be known as Sections 74-a, 74-b, and 74-c, and providing penalties for violation."

The bill was read the first time, and on motion of Senator Peirce 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. 162**, by Senator Nelson, entitled: "An Act relating to the issuance and the sale of school bonds and amending Section 4943 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Nelson 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. 163**, by Senator Tewksbury, entitled: "An Act to amend Article 2 of the Constitution of the State of Washington, relating to the legislative department, repealing parts of Section 12 of said Article 2, and adding thereto a section to be known as Section 12a, concerning the sessions of the legislature and the introduction of bills."

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

**Senate Bill No. 164**, by Senators Miller, Nugent and Ronald, entitled: "An Act relating to 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, and the sanitation of slaughtering establishments; defining offenses; providing penalties; authorizing the State Board of Health to make rules and regulations to carry out the provisions of this act; and making appropriation."

The bill was read the first time, and on motion of Senator Murphy (Kebel), 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. 39**, by Representatives Jones, Johnson, Brown and Smith (B. L.), entitled: "An Act relating to the collection of taxes; providing for the remission of interest upon real and personal property taxes; providing for the payment of delinquent real property taxes in installments; providing for remission of a portion of the principal of said delinquent taxes; and declaring that this act is to 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 Revenue and Taxation.

**Engrossed House Bill No. 64**, by Representative Holt, entitled: "An Act to provide for uniformity of assessment of property for taxation."

The bill was read the first time, and on motion of Senator Peirce 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. 109**, by Representative Cohen (by departmental request), entitled: "An Act authorizing and directing a conveyance by quit-claim deed in behalf of the State of Washington to the Estate of J. H. Payne, deceased, of certain real estate."

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

**House Bill No. 110**, by Representative Cohen (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 Peirce the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

**House Bill No. 111**, by Representative Cohen (by departmental request), entitled: "An Act authorizing and directing a conveyance by quit-claim deed in behalf of the State of Washington to Olive Sunde and Ruby Christenson of certain real estate."

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

**House Bill No. 112**, by Representative Cohen (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 Lovejoy the rules were suspended, the bill was read the second time by title, and referred to the Committee on Judiciary.

**House Bill No. 113**, by Representative Cohen (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 Lovejoy 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. 45**, by Representative Voyce, entitled: "An Act amending Section 204 of Chapter 36 of the Laws of 1917 (Section 4031 of Pierce's Code; Section 8839 of Remington's Revised Statutes); providing for a just weighing of coal for miners, posting and checking weights, and the employment and deduction of check-weighmen; and providing penalties for its violations," was read the third time.

Senators Kyle, Morrow and Dailey demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 45, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—41.

Absent or not voting: Senators Barnes, Lovejoy, Mehner, Nugent, 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.

**House Bill No. 116**, by Committee on Reclamation and Irrigation, Dikes, Drains, and Ditches, entitled: "An Act relating to the powers and duties of the director of the Department of Conservation and Development of the State of Washington, amending Section 1 of Chapter 13, Laws of the Extraordinary Session 1933 and declaring an emergency," was read the third time.

Senators Malstrom, Orndorff and Ronald demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 116, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Stinson, Tewksbury, Thein, Thomas, Todd—40.

Those voting nay were: Senators Reardon, Worum—2.

Absent or not voting: Senators Barnes, Nugent, Shorett, Steele—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 Resolution No. 6**, by Senator Lovejoy, entitled: "Providing for the petitioning of Congress of the United States to repeal certain acts pertaining to mail contracts in the aeronautical service," was read the third time.

Senators Keller, Ronald and Ryan (J. H.) demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 6, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Knutzen, Lovejoy, McAulay, Metcalf, Miller, Morrow, Murfin, Norman, Smith, Stinson, Thein—14.

Those voting nay were: Senators Dailey, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, Maxwell, McMillan, Mehner, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Thomas, Todd, Worum—26.

Absent or not voting: Senators Barnes, Drumheller, Nugent, Shorett, Steele, Tewksbury—6.

The resolution, having failed to receive the constitutional majority, was declared lost.

Senator Todd gave notice that at the proper time he would move to reconsider the vote by which Senate Joint Resolution No. 6 failed to pass.

#### **SPECIAL ORDER.**

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Senate Joint Resolution No. 9, by Senator Reardon.

The Secretary read:

**Senate Joint Resolution No. 9**, by Senator Reardon: "Relating to Initiative Measure No. 2 and providing for submission thereof to the people for their adoption and approval or rejection."

On motion of Senator Reardon, the rules were suspended, the resolution was read the second time by title, read the third time and placed on final passage.

Senators Peirce, Miller and Todd demanded a call of the Senate.

The call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senator Shorett, who was excused, and Senators Nugent and Barnes.

On motion of Senator Stinson, Senator Nugent was excused.

On motion of Senator Maxwell, Senator Barnes was excused.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Miller, the Senate proceeded under the call of the Senate.

Senators Kerstetter, Maxwell and Reardon demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 9, and it failed to pass by the following vote:

Those voting aye were: Senators Brunton, Dailey, Dawson, Drumheller, Duggan, Garrett, Lovejoy, Maxwell, McAulay, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Peirce, Reardon, Roland, Ryan (Scott M.), Smith, Tewksbury, Thein, Worum—21.

Those voting nay were: Senators Bengtson, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Norman, Ronald, Ryan (J. H.), Steele, Stinson, Thomas, Todd—22.

Absent or not voting: Senators Barnes, Nugent, Shorett—3.

The resolution, having failed to receive the constitutional majority, was declared lost.

Senator Todd gave notice that at the proper time he would move for reconsideration of the vote by which Senate Joint Resolution No. 9 failed to pass the Senate.

Senator Reardon moved that further call of the Senate be dispensed with. The motion lost.

Senator Malstrom was excused.

#### GENERAL FILE.

**Senate Bill No. 36**, by Senator Murphy (James A.), entitled: "An Act relating to the sale of property under execution, decree or order of sale; and amending Section 1 of Chapter 69 of the Laws of 1927 (Section 582 of Remington's Revised Statutes)," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 36, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Malstrom, Nugent, Shorett—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. 32:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., February 1, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 32, entitled: "An Act relating to crimes and punishments and the rights and custody of persons accused or convicted of crime and amending Section 208 of Chapter 249 of the Laws of 1909, being Section 2460 of Remington's Compiled 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 Sec. 1, being line 10 of the original bill, same being line 4 of the printed bill by striking the asterisks (\*\*\*\*) between the words "medicine" and "for" and in-

serting in lieu thereof the words "for the prevention of conception or."

Amend Sec. 1, being line 14 of the original bill, same being line 7 of the printed bill by adding at the end of said section after the word "misdemeanor" the following: "*PROVIDED, That the provisions of this section shall not prevent the prescribing, using or furnishing of any information, article, instrument, substance, drug, medicine, or thing designed, adapted, or intended for the prevention of conception by the following: (1) any physician legally licensed to practice medicine in the State of Washington; (2) any medical college legally operating under the laws of the State of Washington; (3) any druggist in filling any prescription of a physician duly licensed in this state to practice medicine; (4) any hospital licensed in the State of Washington.*"

E. N. STEELE, Chairman.

We concur in this report: Chas. F. Stinson, Judson W. Shorett, A. M. Murfin, Geo. F. McAulay, E. L. Brunton, H. I. Kyle, John F. Worum.

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

On motion of Senator Murphy (Kebel), the further call of the Senate was dispensed with.

At 12:05, on motion of Senator Murphy (Kebel), the Senate recessed until 1:30 o'clock p. m.

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#### AFTERNOON SESSION.

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The Senate reconvened at 1:30 o'clock p. m., President Meyers in the Chair.

##### Senate Bill No. 32:

The Senate proceeded with the discussion of Senate Bill No. 32.

Senator Steele moved the adoption of the committee amendment to amend Section 1, line 14.

Senators Ryan (J. H.), Peirce and Murphy (James A.) demanded a call of the Senate.

The call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senators Shorett and Barnes, who were previously excused, and Senators Knutzen and Malstrom.

On motion of Senator Maxwell, Senators Malstrom and Knutzen were excused.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Maxwell, the Senate proceeded under the call of the Senate.

Senators Ronald, Thein and Ferryman demanded the previous question.

The previous question was ordered.

Senators Kyle, Peirce, Morrow, Ryan (J. H.), Steele, Reardon, Farquharson and Miller demanded a roll call on the adoption of the committee amendment to Section 1, line 14.

The Secretary called the roll on the adoption of the committee amendment to Section 1, line 14, and the amendment lost by the following vote:

Those voting aye were: Senators Brunton, Dawson, Duggan, McAulay, McMillan, Mehner, Murfin, Murphy (James A.), Nugent, Roland, Smith, Steele, Stinson, Thein, Worum—15.

Those voting nay were: Senators Bengtson, Dailey, Drumheller, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Maxwell, Metcalf, Miller, Morrow, Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas, Todd—27.

Absent or not voting: Senators Barnes, Knutzen, Malstrom, Shorett—4.

On motion of Senator Murfin, the committee amendment to Section 1, line 10, was laid on the table without taking the bill with it.

Senators McAulay, Maxwell and Morrow demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 32, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson, Tewksbury, Thomas, Todd, Worum—34.

Those voting nay were: Senators Brunton, Duggan, Garrett, Murphy (James A.), Orndorff, Reardon, Ronald, Thein—8.

Absent or not voting: Senators Barnes, Knutzen, Malstrom, Shorett—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 Maxwell, further call of the Senate was dispensed with.

At 2:40 o'clock p. m., on motion of Senator Maxwell, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## TWENTY-FIFTH DAY

### MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, February 7, 1935.

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

Reverend Samuel Everton, of the Central Baptist Church of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senator Barnes, who was excused, and Senators Maxwell and Shorett.

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

On motion of Senator Roland, Senator Shorett was excused.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 7, 1935.

*Honorable Victor A. Meyers, President of the Senate,  
Olympia, Washington.*

DEAR MR. PRESIDENT:

I am pleased to advise that the Honorable T. J. Edmonds, regional field representative of the Federal Emergency Relief Administration, is here to confer on relief conditions, and he requests that the relief investigating committees of the Senate and House of Representatives be made available for a conference with him. He suggests the conference be held this morning at 10:30 o'clock in the Board Room of the Office of the Governor.

Cordially yours,

CLARENCE D. MARTIN,

*Governor of Washington.*

Senator Murphy (Kebel) moved that the communication be placed on file.

Senator Mehner moved to amend the motion of Senator Murphy (Kebel) to provide "that the investigating committee be excused to attend the meeting."

Senators Kyle, Morrow and Gannon demanded the previous question.

The previous question was ordered.

The motion of Senator Mehner carried.

Senator Kerstetter moved that the Senate recess until 2:00 o'clock p. m.

The motion lost.

Senators Ryan (J. H.), Todd and Kerstetter demanded a call of the Senate.

The call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senators Barnes and Shorett, who were excused, and Senator Maxwell.

The Sergeant-at-Arms locked the doors of the Senate.

On motion of Senator Todd, the Senate proceeded under the call of the Senate.

Senator Reardon moved that the reconsideration of the vote by which Senate Joint Resolution No. 9 failed to pass the Senate be made a special order of business tomorrow morning.

The motion carried.

On motion of Senator Reardon, the further call of the Senate was dispensed with.

The Secretary read:

#### SENATE JOINT RESOLUTION.

**Senate Joint Resolution No. 10**, by Senator Roland: "Relating to lobbying by public officials and principals of state institutions of higher learning for increases in salaries and for measures or bills in which they appear to have an interest, whether in the Legislative Building or other places in the State Capitol frequented by Legislators, unless such officials are invited to advise committees on public business."

On motion of Senator Ferryman, the rules were suspended, the resolution read the second time by title, read the third time and placed on final passage.

Senator Miller moved that Senate Joint Resolution No. 10 be made a special order of business for 11:00 o'clock a. m. in order that copies be made of the resolution and placed on the desks of the Senators.

The motion carried.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 54, entitled: "An Act relating to mutual savings banks and authorizing pensions for employees of such banks," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. GANNON, *Chairman*.

We concur in this report: Fred Norman, Geo. A. Lovejoy, A. M. Murfin, Fred S. Duggan, E. L. Brunton, Joseph Drumheller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred House Bill No. 69, entitled: "An Act relating to and regulating investments by mutual savings banks, and amending Chapter 74 of the Laws of 1929 by adding thereto Section 3a, declaring an emergency 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. H. GANNON, *Chairman*.

We concur in this report: Fred Norman, Geo. A. Lovejoy, A. M. Murfin, Fred S. Duggan, E. L. Brunton, Joseph Drumheller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred House Bill No. 86, entitled: "An Act relating to the investment and management of trust funds, amending Section 1 and Section 3, Chapter 37, of the Laws of Extraordinary Session 1933," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. GANNON, *Chairman*.

We concur in this report: Fred Norman, Geo. A. Lovejoy, A. M. Murfin, Fred S. Duggan, E. L. Brunton, Joseph Drumheller.

On motion of Senator Gannon the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 127, entitled: "An Act relating to the filling of vacancies on the supreme and superior courts of this state, and amending Sections 11044 and 11049 of Remington's Compiled 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.

E. N. STEELE, *Chairman*.

We concur in this report: Judson W. Shorett, Ed. Peirce, Chas. F. Stinson, John F. Worum, H. I. Kyle, Geo. F. McAulay, Fred S. Duggan, Chas. H. Todd, A. M. Murfin, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 117, entitled: "An Act relating to the non-salaried Washington State Development Commission; defining its duties; 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.

MARY U. FARQUHARSON, *Chairman*.

We concur in this report: W. R. Orndorff, J. D. Bengtson, Ralph Metcalf, Kathryn E. Malstrom, L. E. Tewksbury.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 105, entitled: "An Act relating to public school playfields or athletic grounds, and authorizing boards of directors for public schools to permit the use thereof and to rent the same for athletic contests and purposes for a compensation," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MARY U. FARQUHARSON, *Chairman*.

We concur in this report: Kathryn E. Malstrom, W. R. Orndorff, J. D. Bengtson, Ralph Metcalf, L. E. Tewksbury.

On motion of Senator Farquharson the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Engrossed House Bill No. 41, entitled: "An Act relating to health, welfare, and care of children in attendance at public schools, and amending Section 1 of Chapter 190 of the Laws of 1921 as amended by Section 1 of Chapter 152 of the Laws of 1923 (being Section 4806 of Remington's Compiled 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.

MARY FARQUHARSON, *Chairman*.

We concur in this report: Kathryn E. Malstrom, L. E. Tewksbury, Ralph Metcalf, J. D. Bengtson, W. R. Orndorff.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate Bill No. 97, entitled: "An Act relating to and providing for the security of the payment of wages to workers in coal mines, providing for the administration thereof, providing penalties for violation 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 be re-referred to the Committee on Labor and Labor Statistics.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: Geo. H. Gannon, Scott M. Ryan, E. L. Brunton, W. C. Dawson, Kathryn E. Malstrom, G. B. Kerstetter, Chas. H. Todd, J. A. Murphy, D. O. Nugent, Geo. A. Lovejoy.

On motion of Senator Ferryman, the report of the committee was received and the bill was re-referred to the Committee on Labor and Labor Statistics.

SENATE CHAMBER,  
OLYMPIA, WASH., February 5, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary to whom was referred Senate Bill No. 7, entitled: "An Act providing for the creation of an Old Age Pension Commission, creating an Old Age Pension Fund, providing for the deposit of certain money therein, and the expenditure thereof, amending sections one, two, six, seven and twelve of Chapter twenty-nine of the Session Laws of 1933, and amending Section nine of Chapter fifty-five Session Laws of 1933, repealing all acts or parts of acts in conflict with 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 be re-referred to the Committee on Public Welfare and Unemployment Relief.

E. N. STEELE, *Chairman*.

We concur in this report: Geo. F. McAulay, Fred S. Duggan, Judson W. Shorett, Chas. F. Stinson, John F. Worum, H. I. Kyle, A. M. Murfin, Ed. Peirce, Chas. H. Todd, J. A. Murphy.

On motion of Senator Steele, the report of the committee was received and the bill was re-referred to the Committee on Public Welfare and Unemployment Relief.

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 86, entitled: "An Act relating to banks and trust companies other than mutual savings banks; providing for separate accounts for savings deposits and the repay-

ment thereof; repealing Sections 11 to 18 inclusive, Chapter 42, Laws of 1933; (Remington's Revised Statutes 3244-1 to 3244-3, both inclusive, 3245, 3245-1 and 3246; Pierce's Washington Code 287-1, 287-3, 288, and 288-1, 289 and 289-1.)," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 86, entitled: "An Act providing that banks and trust companies which are members of the Federal Deposit Insurance Corporation shall not be compelled to comply with Sections 11 to 18, inclusive, of Chapter 42, Laws of 1933, which sections provide for a segregated savings department; and providing for the handling of savings deposits by such banks and trust companies" be substituted therefor, and that it do pass.

GEO. H. GANNON, *Chairman.*

We concur in this report: Geo. A. Lovejoy, A. M. Murfin, Fred S. Duggan, E. L. Brunton, Joseph Drumheller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 143, entitled: "An Act relating to revenue and taxation; providing for the use of facts and information obtained under the provisions of Chapter 191, Laws of 1933, as amended; prescribing limits upon such use; providing penalties for the violation thereof; amending Section 27, Chapter 191, Laws of 1933; 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.

PAUL MEHNER, *Chairman.*

We concur in this report: K. W. Reardon, Mary U. Farquharson, W. R. Orndorff, Ralph Metcalf, A. M. Murfin, H. I. Kyle, L. E. Tewksbury, James Dailey.

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

A majority of the Committee on Education recommended that Senate Bill No. 43 do pass.

A minority of the Committee on Education recommended that Senate Bill No. 43 do not pass.

The reports of the Committee, together with the bill, were placed on general file.

On motion of Senator Metcalf, Senate Bill No. 143 was re-referred to the Committee on Judiciary.

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Joint Memorial No. 14, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 7, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 192 and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

Senate Bill No. 165, by Senator Lovejoy, entitled: "An Act relating to surety bonds and undertakings required by law, providing for release from liability of the surety thereon and repealing the act of the legislature ap-

proved March 14, 1890, Laws of 1889-90, pp. 43, 44 and 45 (Sections 9942, 9943, 9944, 9945 and 9946, Remington's Compiled 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 Insurance.

**Senate Bill No. 166**, by Senators Steele and Shorett, entitled: "An Act creating in the Washington State Patrol a division of criminal identification, investigation, and statistics."

The bill was read the first time, and on motion of Senator Steele 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. 167**, by Senator Roland, entitled: "An Act enlarging the duties of the sheriff by permitting him to arrest persons in other counties and calling in other counties' sheriffs to assist in the preservation of law and order."

The bill was read the first time, and on motion of Senator Roland 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. 168**, by Senator Miller, entitled: "An Act relating to the delivery of liquor from State Liquor Stores to purchasers, providing for the regulation thereof, and amending paragraph 2 of Section 7 of Chapter 62 of the Laws of 1933 Extraordinary Session."

The bill was read the first time, and on motion of Senator Miller 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. 169**, by Senator Miller, entitled: "An Act relating to the opinion evidence of expert witnesses; requiring appointment of such witnesses by the court; providing procedure; fixing the fees of such witnesses and providing for the appointment of such witnesses in certain cases which have been tried, and declaring an emergency."

The bill was read the first time, and on motion of Senator Miller 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. 170**, by Senators Norman and Thein, entitled: "An Act appropriating from the fund of fisheries, the sum of Twenty Thousand and no/100 Dollars (\$20,000.00), or so much thereof as may be necessary for the survey and purchase of the necessary lands, and construction of a food fish hatchery in Grays Harbor County, Washington."

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

**Substitute Senate Bill No. 86**, by Committee on Banks and Banking, entitled: "An Act providing that banks and trust companies which are members of the Federal Deposit Insurance Corporation shall not be compelled to comply with Sections 11 to 18, inclusive, of Chapter 42, Laws of 1933, which sections provide for a segregated savings department; and providing for the handling of savings deposits by such banks and trust companies."

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

**Engrossed House Bill No. 10**, by Representative McDonald (D. A.), entitled: "An Act providing for and regulating the recount of ballots and a re-cavass of the votes registered on voting machines at any election held within the state."

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

**Engrossed House Bill No. 89**, by Representative McDonald (D. A.), entitled: "An Act relating to declaratory judgments and providing therefor."

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 Judiciary.

**House Bill No. 143**, by Representatives Carty and Clark (A. W.), entitled: "An Act providing for the enlargement of port districts and amending Section 1, Chapter 130, Session Laws of 1921 (Section 9707, Remington's Revised Statutes of Washington)."

The bill was read the first time, and on motion of Senator Nelson 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. 76:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Financial Institutions Other Than Banks to whom was referred Senate Bill No. 76 by the Committee on Rules and Joint Rules at Departmental Request, entitled: "An Act relating to the organization, management and supervision of savings and loan association; authorizing associations to procure mortgage insurance from the Federal Housing Administration and savings insurance from the Federal Savings and Loan Insurance Corporation; enabling such associations to correlate with the Federal Housing Administration under Titles II, III and IV of the National Housing Act; authorizing associations to cancel notices of withdrawal; amending Sections 47, 49, 56, 78 and 112 of Chapter 183, Laws of 1933, 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 the second line of the title by suffixing the letter "s" to the word "association" making it read "associations."  
CHAS. H. TODD, *Chairman.*

We concur in this report: J. W. Thein, Geo. A. Lovejoy, Paul Mehner, Paul G. Thomas, James Dailey, W. J. Knutzen.

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

Senator Duggan moved the adoption of the following amendment:

Amend Section No. 1 by striking out in sub-section of Section 1 the last sentence of first paragraph of Section 1 which begins with the word "Premiums" and ending with the word "hereof," on lines 19, 20 and 21, page 1.

**SPECIAL ORDER.**

The President stated that the time for the special order of business having arrived, the Senate would proceed to consider Senate Joint Resolution No. 10, which was a special order for this time.

Senator Roland moved the adoption of Senate Joint Resolution No. 10.

Senator McAulay moved that the resolution be indefinitely postponed.

Senators Roland, Ryan (J. H.), Steele, Orndorff, Kerstetter, Farquharson, Malstrom and Smith demanded a roll call on the motion by Senator McAulay.

A roll call was ordered.

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

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Nugent, Orndorff, Peirce, Reardon, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd—33.

Those voting nay were: Senators Gannon, Murfin, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas, Worum—7.

Absent or not voting: Senators Barnes, Kyle, Maxwell, Murphy (Kebel), Norman, Shorett—6.

Senator Lovejoy moved that only the title of the resolution and not the full resolution be spread on the journal.

The motion carried.

**Senator Bill No. 76:**

The President stated that the Senate would now proceed with further consideration of Senate Bill No. 76.

Senators Ryan (J. H.), McAulay, Dailey, Ryan (Scott M.), Reardon, McMillan, Worum and Morrow demanded a roll call on the motion by Senator Duggan.

The Secretary called the roll on the adoption of the amendment and it lost by the following vote:

Those voting aye were: Senators Duggan, Farquharson, Keller, Kerstetter, Malstrom, McAulay, McMillan, Murfin, Murphy (James A.), Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Steele, Worum—17.

Those voting nay were: Senators Bengtson, Brunton, Dailey, Dawson, Ferryman, Gannon, Garrett, Knutzen, Lovejoy, Mehner, Metcalf, Morrow, Nelson, Ronald, Tewksbury, Thein, Thomas, Todd—18.

Absent or not voting: Senators Barnes, Drumheller, Kyle, Maxwell, Miller, Murphy (Kebel), Norman, Nugent, Shorett, Smith, Stinson—11.

Senator Duggan moved the adoption of the following amendment:

Amend Section No. 1 by striking out the words beginning with "and" on line 17 page 1, down to and including the word "filed" on line 19 page 1, and inserting a period after the word "purposes" in line 17.

The motion of Senator Duggan lost.

On motion of Senator Thomas, the following amendment was adopted:

Amend Sec. No. 3, line 30, page three (3) of the printed bill after the period (.) add this sentence:

"All profits on insurance written on the loans made by the institution or by any officer or employee or agent of the institution shall be considered as earnings and

placed in a proper account and distributed to depositors as other earnings of the institution."

On motion of Senator Todd, the following committee amendment was adopted:

Amend the second line of the title of the original bill, same being line one (1) of the printed bill, by suffixing the letter "s" to the word "association" making it read "associations".

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 Bengtson, Brunton, Dailey, Dawson, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Nelson, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—32.

Those voting nay were: Senators Drumheller, Duggan, Keller, Reardon, Roland, Ryan (Scott M.)—6.

Absent or not voting: Senators Barnes, Kyle, Maxwell, Miller, Murphy (Kebel), Norman, Shorett, 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.

At 12:25 o'clock p. m., on motion of Senator Reardon, the Senate recessed until 2:00 o'clock p. m.

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#### AFTERNOON SESSION.

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The Senate reconvened at 2:00 o'clock p. m., President Meyers in the chair.

On motion of Senator Nugent, the Senate referred back to the first order of business.

The Secretary read:

#### SENATE JOINT RESOLUTION.

**Senate Joint Resolution No. 11**, by Senators Nugent and Malstrom: "Relating to the appointment of a committee to meet with a similar committee from Oregon in respect to uniformity of procuring marriage licenses."

On motion of Senator Nugent, the rules were suspended, the resolution read the second time by title, read the third time and placed on final passage.

On motion of Senator Nugent, Senate Joint Resolution No. 11 was adopted.

On motion of Senator Reardon, the rules were suspended, and Senate Joint Resolution No. 11 was ordered immediately transmitted to the House.

On motion of Senator Garrett, the Senate referred back to the second order of business.

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

MR. PRESIDENT:

We, your Committee on Insurance to whom was referred House Bill No. 87, entitled: "An Act relating to insurance and the investment of funds of any insurance company in insured obligations of the Federal Government and providing for cooperation and investments pursuant to the 'National Housing Act,' providing for deposit of such obligations wherein deposit is required by law, or otherwise, amending Chapter 112 of the Laws of 1921 by adding thereto a new section 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.

C. NIFTY GARRETT, *Chairman.*

We concur in this report: Fred S. Duggan, E. L. Brunton, Geo. A. Lovejoy, Paul G. Thomas, C. F. Stinson.

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

At 2.10 o'clock p. m., on motion of Senator Peirce, the Senate adjourned until 10.00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## TWENTY-SIXTH DAY

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### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, February 8, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Samuel Everton of the Central Baptist Church of Olympia offered prayer.

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

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

Senators Peirce, Tewksbury and Miller demanded a call of the Senate.

The call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senator Barnes, who was excused.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Miller the Senate proceeded under the call of the Senate.

Senator Todd moved that the Senate reconsider the vote by which Senate Joint Resolution No. 6 failed to pass the Senate.

The motion carried.

**RECONSIDERATION.**

The Secretary called the roll on the final passage of Senate Joint Resolution No. 6 and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Malstrom, Maxwell, McAuley, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Nelson, Norman, Nugent, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—31.

Those voting nay were: Senators Farquharson, Kerstetter, Kyle, Murphy (James A.), Murphy (Kebel), Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Thomas, Worum—14.

Absent or not voting: Senator Barnes—1.

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

Senator Reardon moved that the Senate reconsider the vote by which Senator Joint Resolution No. 9 failed to pass the Senate.

Senators Norman, Farquharson, Steele, Miller, Ryan (J. H.), Kyle, Duggan and Stinson demanded a roll call on the motion of Senator Reardon.

A roll call was ordered.

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

Those voting aye were: Senators Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Garrett, Lovejoy, Maxwell, McAulay, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Roland, Ryan (Scott M.), Shorett, Smith, Tewksbury, Thein, Todd—25.

Those voting nay were: Senators Bengtson, Farquharson, Gannon, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McMillan, Mehner, Metcalf, Morrow, Murfin, Norman, Ronald, Ryan (J. H.), Steele, Stinson, Thomas, Worum—20.

Absent or not voting: Senator Barnes—1.

**RECONSIDERATION.**

The Secretary called the roll on the final passage of Senate Joint Resolution No. 9 and it passed the Senate by the following vote:

Those voting aye were: Senators Brunton, Dailey, Dawson, Drumheller, Duggan, Garrett, Lovejoy, Maxwell, McAulay, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Roland, Ryan (Scott M.), Shorett, Smith, Tewksbury, Thein, Todd, Worum—25.

Those voting nay were: Senators Bengtson, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McMillan, Mehner, Metcalf, Morrow, Murfin, Norman, Ronald, Ryan (J. H.), Steele, Stinson, Thomas—20.

Absent or not voting: Senator Barnes—1.

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

On motion of Senator Lovejoy, the rules were suspended and the resolution was ordered immediately transmitted to the House.

The Secretary read:

**Senate Joint Resolution No. 12**, by Senator Gannon: "Providing for an amendment of Section 20 of Article 3 of the Constitution of the State of Washington, relating to salaries of elective officials."

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

**Senate Joint Resolution No. 13**, by Senator Gannon: "Providing for an amendment of Section 22 of Article 3 of the Constitution of the State of Washington, relating to salaries of elective officials."

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

**Senate Joint Resolution No. 14**, by Senator Gannon: "Providing for an amendment of Section 19 of Article 3 of the Constitution of the State of Washington, relating to salaries of elective officials."

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

**Senate Joint Resolution No. 15**, by Senator Gannon: "Providing for an amendment of Section 21 of Article 3 of the Constitution of the State of Washington, relating to salaries of elective officials."

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

**Senate Joint Resolution No. 16**, by Senator Gannon: "Providing for an amendment of Section 17 of Article 3 of the Constitution of the State of Washington, relating to salaries of elective officials."

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

**House Joint Memorial No. 14**, by Committee on Labor and Labor Statistics: "Asking the enactment of Senate Bill No. 87, known as the 'Black Bill,' and any other legislation that has for its purpose the encouragement of the five day week and the six hour day."

The memorial was read the first time, and on motion of Senator Ryan (J. H.) the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Labor and Labor Statistics.

The Secretary read:

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 7, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 76, entitled: "An Act relating to the organization, management and supervision of savings and loan associations; authorizing associations to procure mortgage insurance from the Federal Housing Administration and savings insurance from the Federal Savings and Loan Insurance Corporation; enabling such associations to cor-

relate with the Federal Housing Administration under Titles II, III, and IV of the National Housing Act; authorizing associations to cancel notices of withdrawal; amending Sections 47, 49, 56, 78 and 112 of Chapter 183, and declaring that this act shall take effect immediately," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, W. C. Dawson.

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 7, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation to whom was referred Senate Bill No. 34, entitled: "An Act relating to dogs, providing for the assessment and collection of annual taxes thereon, and amending Section 1 of Chapter 198, Session 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.

PAUL MEHNER, *Chairman.*

We concur in this report: K. W. Reardon, W. R. Orndorff, James Dailey, L. E. Tewksbury, E. N. Steele, A. M. Murfin, H. I. Kyle, Fred S. Duggan, Mary Farquharson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 7, 1935.

MR. PRESIDENT:

We, your Committee on Liquor Control to whom was referred Senate Bill No. 93, entitled: "An Act relating to intoxicating liquors, providing for distribution of the funds received therefrom, and amending Section 78 of Chapter 62 of the Laws Extraordinary Session 1933," 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: J. W. Thein, E. N. Steele, C. Nifty Garrett, W. R. Orndorff, L. E. Tewksbury, G. B. Kerstetter, Paul Mehner, Joseph Drumheller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred Senate Joint Resolution No. 5: "Relating to the observance and commemoration of the death of Brigadier General Casimir Pulaski and that October 11 of each year be designated as 'General Pulaski's Memorial Day'," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred Re-engrossed House Joint Memorial No. 3: "Relating to the use of public funds for the dental care of

children in the public schools," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred Engrossed House Joint Memorial No. 6. "A Memorial regarding government ownership of the banking system," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred Senate Joint Memorial No. 9: "Relating to the abolition of interest bearing United States Bonds," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred Senate Joint Memorial No. 13: "Relating to an appropriation for federal and state hospitals," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred Senate Joint Memorial No. 15: "Relating to asking Congress for relief to owners of residential property," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred Senate Joint Memorial No. 16: "Memorial for the relief of farmers against agricultural indebtedness," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials to whom was referred Senate Joint Memorial No. 10: "Relating to Flood Control 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.

....., *Chairman.*

We concur in this report: Earl Maxwell, Scott M. Ryan.

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

On motion of Senator Maxwell, the rules were suspended, the memorial 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 Memorial No. 10, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—45.

Absent or not voting: Senator Barnes—1.

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

On motion of Senator Maxwell, the rules were suspended, and the memorial was ordered immediately transmitted to the House.

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 114 do pass.

A minority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 114 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Committee on Revenue and Taxation recommended that Senate Bill No. 95 do pass as amended.

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

The Committee on Labor and Labor Statistics recommended that Engrossed House Bill No. 118 do pass as amended.

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

A communication from the select committee investigating the W. E. R. A. was read.

On motion of Senator Orndorff, the communication was referred back to the select committee to be prepared in the form of a committee report.

On motion of Senator Gannon, the select committee was excused in order to meet with a Federal Emergency Relief administrator.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

The Speaker has signed House Bill No. 45; also

House Bill No. 115; also

The House has adopted House Concurrent Resolution No. 12; also

The House has passed Senate Joint Memorial No. 3; also

Senate Concurrent Resolution No. 2; also

Senate Concurrent Resolution No. 3; and the same are herewith transmitted.

S R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 33 with the following amendments:

In line 8 of the original bill, being line 2 of the printed bill, after the word "director" strike the words "of the department."

And in line 9 of the original bill being line 3 of the printed bill after the word "director" strike the words "of the department", and the same is herewith transmitted.

S R. HOLCOMB, *Chief Clerk.*

On motion of Senator Steele, the Senate concurred in the House amendments to Engrossed Senate Bill No. 33.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 33, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Worum—38.

Those voting nay were: Senators Gannon, Murphy (James A.), Murphy (Kebel), Roland, Ryan (Scott M.), Thomas—6.

Absent or not voting: Senators Metcalf, Todd—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:

**House Concurrent Resolution No. 12**, entitled: "An Act relating to adjournment of the House and Senate from February 9 to February 13, 1935."

On motion of Senator Lovejoy, House Concurrent Resolution No. 12 was laid on the table.

The President signed House Bills Nos. 45 and 115.

## INTRODUCTION OF BILLS.

**Senate Bill No. 171**, by Senators Kyle and Roland, entitled: "An Act enlarging the duties of prosecuting attorneys to permit them to give free legal advice and act as counsel for those financially unable to employ a counsel and amending Section 4132 of Remington's Compiled 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. 172**, by Senator Duggan, entitled: "An Act relating to the powers of cities of the first class in regard to public golf courses and authorizing the borrowing of money and the issuance of bonds for the purpose of constructing and maintaining the 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, ordered printed and referred to the Committee on Cities of the First Class.

**Senate Bill No. 173**, by Senator Nelson, entitled: "An Act relating to transportation by motor vehicles over the public highways of the State of Washington, limiting the size and weight of such vehicles and the loads thereof, providing penalties for the violation of this act, and repealing all laws and parts of laws in conflict herewith."

The bill was read the first time, and on motion of Senator Nelson 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. 174**, by Senator Lovejoy, entitled: "An Act relating to the State Board of Health; the manner of selecting the members thereof; defining its powers and duties; providing for the appointment of a state director of health, and establishing his qualifications and terms of office; and repealing Section 56 of Chapter 7 of the Laws of 1921 (Section 10814, Remington's Compiled 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 Medicine, Dentistry, Pure Food and Drugs.

**Senate Bill No. 175**, by Senator Lovejoy, entitled: "An Act relating to the powers and duties of the state board of health; directing the state board of health to establish by regulations and qualifications of all public health personnel of the state and of the counties and cities; providing that such regulations shall not be made retroactive; prohibiting a residence requirement for public health personnel, but requiring United States citizenship, and repealing all acts or parts of acts in conflict therewith."

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 Medicine, Dentistry, Pure Food and Drugs.

**Senate Bill No. 176**, by Senator Lovejoy, entitled: "An Act relating to county boards of health; the manner of selecting the members thereof; defining its powers and duties; providing for the appointment of county health officers, and repealing all acts or parts of acts in conflict herewith."

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 Medicine, Dentistry, Pure Food and Drugs.

**Senate Bill No. 177**, by Senator Lovejoy, entitled: "An Act relating to the establishment of boards of health in cities of the second class and third class; the manner of selecting the members thereof; defining their powers and duties; transferring the health powers of cities of the fourth class, and of towns of less population, to the county board of health of the county in which they are located; and repealing acts or parts of acts in conflict herewith."

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 Medicine, Dentistry, Pure Food and Drugs.

**Senate Bill No. 178**, by Senator Gannon (by request of State Auditor), entitled: "An Act providing for the purchase, repair, control, storage and use of state-owned motor vehicles; providing for leasing or construction of state-owned storage warehouses or garages; providing for the regulation, use and maintenance thereof; authorizing the Director of Business Control to make contracts with the State Highway department for the use of its facilities."

The bill was read the first time, and on motion of Senator Gannon 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 Senator Gannon (by request of State Auditor), entitled: "An Act relating to the unlawful use of state-owned automobiles, motor vehicles, trucks or other state owned vehicles; providing a penalty therefor."

The bill was read the first time, and on motion of Senator Gannon 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 Senator Gannon (by request of State Auditor), entitled: "An Act appropriating the sum of Four Thousand Dollars, or so much thereof as may be necessary for salaries and wages of the Judges of the Superior Court for the remainder of the biennium ending March 31, 1935, and declaring an emergency."

The bill was read the first time, and on motion of Senator Gannon 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. 181**, by Senator Lovejoy, entitled: "An Act relating to taxation; imposing taxes upon certain sales and providing for the ascertainment, assessment, collection and distribution thereof; providing for the administration and enforcement of this act; providing penalties; providing powers and duties of the tax commission of Washington and repealing Chapter 191 of the Laws of 1933 and Chapter 57 of the Laws of the Extraordinary Session of 1933, 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 Revenue and Taxation.

**Senate Bill No. 182**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the State Treasury and abolishing the State Fair Fund, and defining the duties and powers of the State Treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 183**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Charitable, Educational, Penal and Reformatory Institution 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, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 184**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the University 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, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 185**, by Senator Gannon, entitled: "An Act transferring certain moneys in, and to be paid into the permanent Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 186**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the State Treasury and abolishing the Highway Safety Fund, and defining the duties and powers of the State Treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 187**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the State Treasury and abolishing the Commission Merchants Fund, and defining the duties and powers of the State

Treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 188**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the State Treasury and abolishing the Auto Title Fund, and defining the duties and powers of the State Treasurer in connection therewith, and declaring that this Act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 189**, by Senator Gannon, entitled: "An Act establishing a fund in the state treasury to be known as the Federal Experiment Station Fund, transferring certain moneys in and to be paid into the state treasury and abolishing the Adams, Hatch and Purnell Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 190**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Shoreland Improvement Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 191**, by Senator Gannon, entitled: "An Act establishing a fund in the state treasury to be known as the Federal Co-operative Agricultural Extension Fund, transferring certain moneys in and to be paid into the state treasury and abolishing the Smith-Lever and Capper-Ketcham Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 192**, by Senator Gannon, entitled: "An Act transferring certain moneys in the Lateral Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 193**, by Senator Gannon, entitled: "An Act transferring certain moneys 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 that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 194**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 195**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Scientific School 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, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 196**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into state treasury and abolishing the Penitentiary Revolving Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 197**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Reformatory Revolving Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 198**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 199**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the

Old Age Pension Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 200**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Agricultural 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, 1935."

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

**Senate Bil No. 201**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Federal Vocational Rehabilitation Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 202**, by Senator Gannon, entitled: "An Act transferring certain monies 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, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 203**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Lewis River Hatchery Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 204**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Oyster Reserve Fund, defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Gannon 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. 205**, by Senator Smith (by request), entitled: "An Act appropriating money from the general fund of the State of Washington to pay judgments against the State Treasurer and against the Supervisor of Inheritance Tax and Escheat Division and declaring an emergency."

The bill was read the first time, and on motion of Senator Smith 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. 206**, by Senator Maxwell, entitled: "An Act relating to elections and to precinct election boards and the appointment thereof; repealing Section 5 of Chapter 61, Laws of 1921, as amended by Section 1 of Chapter 79, Laws of 1933; repealing Section 3 of Chapter 170, Laws of 1921, as amended by Section 3 of Chapter 279 of Laws of 1927 and repealing Section 1 of Chapter 29, Laws of Extraordinary Session, 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 Elections and Privileges.

**Senate Bill No. 207**, by Senator Nelson, entitled: "An Act relating to storage warehouses and warehousemen in counties of this state having a population of fifty thousand or more, defining the same, providing for the regulation and supervision thereof by the department of public works, providing for the enforcement of the act and penalties for the violation thereof and amending Sections 1 and 3 of Chapter 154 of the Laws of 1933 (Sections 11569-1 and 11569-3 of Remington's Revised Statutes)."

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

**House Bill No. 192**, by Judiciary Committee, entitled: "An Act relating to the assignment of judgments; providing for the filing of acknowledged assigned judgments, and amending Section 5 of Chapter 60 of the Laws of 1929, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Steele 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. 111**, by Committee on Rules and Joint Rules (by Departmental request), 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 State Institutions, and declaring this act shall take effect immediately," was read the third time.

On motion of Senator Ferryman, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 111.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Peirce, 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 the same be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Senate Bill No. 111 and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—38.

Those voting nay were: Senators Norman, Reardon—2.

Absent or not voting: Senators Barnes, Kyle, Murfin, Murphy (Kebel), Ryan (Scott M.), 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.

On motion of Senator Peirce, the further call of the Senate was dispensed with.

The President appointed Senator Duggan, chairman, and Senators Gannon and Brunton, as Senate members of the investigating committee provided for in Senate Concurrent Resolution No. 2.

At 12:30 o'clock p. m., on motion of Senator Peirce, the Senate recessed until 2:00 o'clock p. m.

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#### AFTERNOON SESSION.

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The Senate reconvened at 2:00 o'clock p. m., President Meyers in the Chair.

On motion of Senator Shorett, Senator Ferryman was excused.

#### GENERAL FILE.

**Senate Bill No. 71:**

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., January 31, 1935.

MR. PRESIDENT:

We, a part of your Committee on Education to whom was referred Senate Bill No. 71, entitled: "An Act relating to the painting of motor vehicles used in the transportation of school children, 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 with the following amendment:

Add Sec. 4. This Act shall take effect and be in full force on and after the first day of September 1935. \_\_\_\_\_, *Chairman.*

We concur in this report: L. E. Tewksbury, D. O. Nugent, Kathryn E. Malstrom.

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

SENATE CHAMBER,  
OLYMPIA, WASH., January 31, 1935.

MR. PRESIDENT:

We, a part of your Committee on Education to whom was referred Senate Bill No. 71, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

MARY U. FARQUHARSON, *Chairman*.

We concur in this report: W. R. Orndorff, J. D. Bengtson.

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

On motion of Senator Murphy (Kebel), the committee amendment was adopted.

Senators Drumheller, Kyle and Tewksbury 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 Dailey, Dawson, Drumheller, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—33.

Those voting nay were: Senators Bengtson, Brunton, Duggan, Farquharson, Knutzen, McMillan, Mehner, Orndorff, Smith, Stinson—10.

Absent or not voting: Senators Barnes, Ferryman, Peirce—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 Tewksbury, the rules were suspended and Senate Bill No. 71 was ordered engrossed and immediately transmitted to the House.

**Senate Bill No. 41**, by Senator Worum, entitled: "An Act relating to the division of counties into commissioners' districts, providing for re-districting counties periodically and amending Section 2 of Chapter 39 of Session Laws of 1893 (Section 4037, Remington's Revised Statutes)," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 41, and it passed the Senate by the following vote:

Those voting aye were: Senators Dalley, Dawson, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Malstrom, Maxwell, McAulay, Mehner, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Ronald, Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—30.

Those voting nay were: Senators Bengtson, Kyle, Lovejoy, McMillan, Metcalf, Miller, Nugent, Roland, Ryan (J. H.), Ryan (Scott M.), Smith—11.

Absent or not voting: Senators Barnes, Brunton, Drumheller, Ferryman, 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.

On motion of Senator Miller, Senator Brunton was excused from session tomorrow.

On motion of Senator Steele, Senator McAulay was excused from session tomorrow.

On motion of Senator Ronald, Senator Nelson was excused from session tomorrow.

At 2:42 o'clock p. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## TWENTY-SEVENTH DAY

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### MORNING SESSION.

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#### SENATE CHAMBER.

OLYMPIA, WASH., Saturday, February 9, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Samuel Everton of the Central Baptist Church of Olympia offered prayer.

The Secretary called the roll, all members being present except Senators Barnes, Nelson, Ferryman, McAulay, Brunton and Bengtson, who were excused, and Senators Murphy (Kebel), Todd and Reardon.

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

The Secretary read:

**Senate Joint Memorial No. 17**, by Senator Bengtson: "Petitioning the Federal Government to appropriate \$125,000 for the construction of a bridge over the Portage Canal to connect Marrowstone Island with the mainland."

The memorial was read the first time, and on motion of Senator Bengtson 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 8, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 71, entitled: "An Act relating to the painting of motor vehicles used in the transportation of school children, and providing penalties for the violation thereof," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, W. C. Dawson.

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

The Secretary read:

**REPORTS OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Senate Concurrent Resolution No. 2: "Relating to appointment of a Committee to meet with the Governor and State Auditor for the purpose of discussing the simplification and strengthening of the State Auditing System," have compared same with the original bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 33, entitled: "An Act changing the name of the Department of Public Works to the Department of Public Service and providing that all the powers and duties now exercised by the director and officers of the Department of Public Works be exercised by the director and officers of the Department of Public Service," have compared same with the Engrossed Bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Joint Memorial No. 3: "Relating to the Civillian Conservation Corps and the continuation thereof," have compared same with the Engrossed Senate Joint Memorial and find it correctly enrolled.

W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Concurrent Resolution No. 3: "Relating to Washington State Day, and providing for the observance thereof," have compared same with the original bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, W. J. Knutzen.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 149, entitled: "An Act relating to the rate of interest to be paid by state deposi-

tables upon moneys deposited by the commissioner of public lands and amending Section 4, Chapter 51 of the Laws of 1911 (Section 5558 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. H. GANNON, *Chairman*.

We concur in this report: A. M. Murfin, Fred Norman, Fred S. Duggan, S. C. Roland, Geo. A. Lovejoy, Kathryn E. Malstrom.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

We, your Committee on Financial Institutions Other Than Banks, to whom was referred House Bill No. 63, entitled: "An Act relating to the organization, management, powers and supervision of Savings and Loan Associations; providing for cooperation with the Federal Government to encourage improvement in housing conditions under the National Housing Act; providing for the investment of funds in obligations insured and obligations issued under said act and amending Sections 49, 52, and 56 of Chapter 183 of the Session Laws of 1933 by adding thereto new sections to be known as Sections 49a, 52a, and 56a, 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.

CHAS. H. TODD, *Chairman*.

We concur in this report: Geo. A. Lovejoy, Paul Mehner, J. W. Thein, Paul G. Thomas, W. J. Knutzen, James Dailey, W. R. Orndorff, Edmund J. Miller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate Bill No. 62, entitled: "An Act relating to elections; the publication of initiative or referendum measures, constitutional amendments and measures recommending constitutional conventions; and amending Section 5423 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.

H. I. KYLE, *Chairman*.

We concur in this report: Earl Maxwell, Fred S. Duggan, P. Frank Morrow, K. W. Reardon, J. A. Murphy, J. P. Keller, Joseph Drumheller.

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

The Committee on Banks and Banking recommended that Senate Bill No. 151 do pass as amended.

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

The Committee on Banks and Banking recommended that Senate Bill No. 152 do pass as amended.

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

The President signed Senate Concurrent Resolutions Nos. 2 and 3, Senate Joint Memorial No. 3, and Senate Bill No. 33.

**INTRODUCTION OF BILLS.**

**Senate Bill No. 208**, by Senators Farquharson, Malstrom and Morrow, entitled: "An Act relating to the hours, wages and conditions of labor for household workers employed in this state."

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 Labor and Labor Statistics.

**Senate Bill No. 209**, by Senator Miller, entitled: "An Act amending the Washington Agricultural Adjustment Act by adding a new section known as 4A prohibiting the overcharging of consumers by retailers of basic agricultural commodities and providing civil and criminal penalties for its violation."

The bill was read the first time, and on motion of Senator Miller 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. 210**, by Senators Garrett, Metcalf and Malstrom, entitled: "An Act relating to State Road No. 5 or the National Park Highway, establishing a branch thereof and amending Section 4 of Chapter 185 of the Laws of 1923, as amended by Section 4 of Chapter 26 of the Laws of 1925, and Section 1 of Chapter 29 of the Laws of 1931."

The bill was read the first time, and on motion of Senator Garrett 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. 211**, by Senator Nugent, entitled: "An Act relating to the sale of food and drinks in drug stores."

The bill was read the first time, and on motion of Senator Nugent 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. 212**, by Senators Ronald and Bengtson, entitled: "An Act relating to and providing for the apportionment for the number, district and apportionment of the members of the House of Representatives of the State of Washington, and amending Section 3 of Chapter 2 of the Session Laws of 1931."

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

**Senate Bill No. 213**, by Senators Nugent and Steele, entitled: "An Act relating to the relief of Joint Drainage Improvement District No. 7, providing for payment of assessments with interest on state lands located therein, and making an appropriation."

The bill was read the first time, and on motion of Senator Steele 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. 214**, by Senator Miller, entitled: "An Act relating to student fees and to the Associated Students of the University of Washington."

The bill was read the first time, and on motion of Senator Miller 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. 215**, by Senator Miller, entitled: "An Act repealing Sections 4546 and 4569, Remington's Revised Statutes, relating to tuition at the University of Washington and Washington State College."

The bill was read the first time, and on motion of Senator Miller 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. 216**, by Senator Reardon, entitled: "An Act relating to the sale of cattle for beef purposes, regulating the resale thereof and providing 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 Dairy and Livestock.

**Senate Bill No. 217**, by Senator Orndorff, entitled: "An Act providing a special proceeding for the recovery of possession of real property wrongfully detained."

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.

#### GENERAL FILE.

**Senate Bill No. 95:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 7, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 95, entitled: "An Act relating to taxation, prescribing penalties for violation thereof, and amending Section 11 Chapter 130 of the Extraordinary Session 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:

Strike all of Section 1 and insert in lieu thereof the following:

"Section 1. That Section 11, Chapter 130 of the Laws of the Extraordinary Session of 1925 be amended to read as follows:

"Section 11. It shall be unlawful for any person, firm or corporation to remove any timber from any timbered lands \* \* \* \* upon which taxes are delinquent until the taxes thereon have been paid. *Further, it shall be unlawful for any person, firm or corporation, who being the owner of the legal title of any timber in the State of Washington, to sell, or contract to sell or agree to sell any timber for the purpose of having said timber cut or logged when taxes are delinquent on said timber or on the land upon which said timber is located.*

"Any person violating the provisions of this section shall be guilty of a gross misdemeanor."  
PAUL MEHNER, *Chairman.*

We concur in this report: K. W. Reardon, A. M. Murfin, W. R. Orndorff, James Dailey, L. E. Tewksbury, H. I. Kyle, Fred S. Duggan, Mary Farquharson.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was read the third time.

Senator McMillan moved the adoption of the committee amendment.

Senator Morrow moved the adoption of the following amendment:

Amend Section No. 11, last line, after word "located" strike the period (.) add (,) and words: "without having first apprized purchaser or purchasers of said delinquent tax or taxes."

Senator Ronald moved that the amendment of Senator Morrow be laid on the table without taking the bill with it.

The motion carried.

The motion of Senator McMillan carried.

Senators Kyle, Ryan (J. H.) and Steele demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 95, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Steele, Stinson, Tewksbury, Thein, Thomas, Worum—33.

Those voting nay were: Senators Norman, Ryan (Scott M.), Smith—3.

Absent or not voting: Senators Barnes, Brunton, Ferryman, McAulay, Miller, Murphy (Kebel), Nelson, Reardon, Shorett, 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.

**Re-Engrossed House Joint Memorial No. 3**, by Representative Parker, entitled: "Relating to the use of public funds for the dental care of children in the public schools," was read the third time.

The Secretary called the roll on the final passage of Re-Engrossed House Joint Memorial No. 3, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Dailey, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Norman, Peirce, Ryan (Scott M.), Steele, Stinson, Tewksbury, Thein, Thomas—17.

Those voting nay were: Senators Bengtson, Dawson, Duggan, Farquharson, Gannon, Garrett, Keller, Knutzen, McMillan, Mehner, Metcalf, Murfin, Nugent, Orndorff, Roland, Ronald, Ryan (J. H.), Smith, Worum—19.

Absent or not voting: Senators Barnes, Brunton, Drumheller, Ferryman, McAulay, Murphy (Kebel), Nelson, Reardon, Shorett, Todd—10.

The memorial, having failed to receive the constitutional majority, was declared lost.

Senator Farquharson gave notice that at the proper time she would move to reconsider the vote by which Re-Engrossed House Joint Memorial No. 3 failed to pass the Senate.

**Senate Bill No. 117**, by Senator Farquharson, entitled: "An Act relating to the non-salaried Washington State Development Commission; defining its duties; and providing that this act shall take effect immediately," was read the third time.

On motion of Senator Roland, the following amendment was adopted:

Amend Sec. No. 4 by striking all of Sec. No. 4 and renumbering the following sections to read, "Sec. 4" and "Sec. 5."

The Secretary called the roll on the final passage of Senate Bill No. 117, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dawson, Drumheller, Duggan, Farquharson, Garrett, Knutzen, Lovejoy, Malstrom, Maxwell, Metcalf, Murfin, Orndorff, Steele, Stinson, Tewksbury, Thomas, Worum—18.

Those voting nay were: Senators Dailey, Gannon, Keller, Kerstetter, Kyle, McMillan, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Thein—19.

Absent or not voting: Senators Barnes, Brunton, Ferryman, McAulay, Nelson, Reardon, Shorett, Smith, Todd—9.

The bill, having failed to receive the constitutional majority, was declared lost.

**Senate Bill No. 54**, by Senators Lovejoy and Gannon, entitled: "An Act relating to mutual savings banks and authorizing pensions for employees of such banks," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 54, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Dawson, Duggan, Farquharson, Gannon, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Ronald, Ryan (J. H.), Steele, Stinson, Tewksbury, Thein—27.

Those voting nay were: Senators Drumheller, Garrett, Knutzen, Morrow, Peirce, Roland, Ryan (Scott M.), Smith, Thomas, Worum—10.

Absent or not voting: Senators Barnes, Brunton, Ferryman, McAulay, Murphy (Kebel), Nelson, Reardon, Shorett, 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 Joint Memorial No. 9**, by Senator Miller: "Relating to the abolition of interest bearing United States bonds," was read the third time.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 9, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Keller, Kerstetter, Kyle, Malstrom, Maxwell, Mehner, Morrow, Murphy (James A.), Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thein, Thomas—19.

Those voting nay were: Senators Bengtson, Dawson, Drumheller, Duggan, Gannon, Garrett, Knutzen, Lovejoy, McMillan, Metcalf, Miller, Murfin, Orndorff, Ronald, Smith, Steele, Stinson, Worum—18.

Absent or not voting: Senators Barnes, Brunton, Ferryman, McAulay, Murphy (Kebel), Nelson, Reardon, Shorett, Todd—9.

The memorial, having failed to receive the constitutional majority, was declared lost.

Senator Miller gave notice that at the proper time he would move to reconsider the vote by which Senate Joint Memorial No. 9 failed to pass the Senate.

On motion of Senator Nugent, Senate Bill No. 148 was re-referred from the Committee on Judiciary to the Committee on Medicine, Dentistry, Pure Food and Drugs.

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

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

HARRISON W. MASON, *Secretary of the Senate.*

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## TWENTY-NINTH DAY

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### MORNING SESSION.

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#### SENATE CHAMBER.

OLYMPIA, WASH., Monday, February 11, 1935.

The Senate was called to order at 11:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Father O'Dwyer of the St. Michael's Church of Olympia offered prayer.

The Secretary called the roll, all members being present except Senators Barnes and Ferryman, who were excused, and Senators Murphy (Kebel), Nugent and Ryan (J. H.).

On motion of Senator Kerstetter, Senator Ryan (J. H.) was excused.

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

Senator Farquharson moved that the reconsideration of the vote by which House Joint Memorial No. 3 failed to pass the Senate be made a special order of business for Wednesday.

The motion carried.

Senator Miller moved that the reconsideration of the vote by which Senate Joint Memorial No. 9 failed to pass the Senate, be made a special order of business for Wednesday.

The motion carried.

The Secretary read:

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 9, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 95, entitled: "An Act relating to taxation, prescribing penalties for violation thereof, and amending Section 11, Chapter 130 of the Extraordinary Session 1925," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, Paul Mehner.

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

The Committee on Public Utilities recommended that Senate Bill No. 153 do pass as amended.

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, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 21; also  
Engrossed House Bill No. 149; also  
House Bill No. 173; also  
House Bill No. 200; also  
House Bill No. 221; also  
House Joint Memorial No. 19, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**House Joint Memorial No. 19**, by Representatives Clark and Wiswall: "Relating to the Harrison Narcotic Law and providing for the treatment of victims of narcotic addiction."

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

**INTRODUCTION OF BILLS.**

**Senate Bill No. 218**, by Senator Roland, entitled: "An Act relating to transportation by motor vehicles over the public highways of the State of Washington, providing for the supervision, regulation and taxation thereof, and the payment of fees thereby; providing penalties for the violation of this act, and making appropriations and declaring an emergency, and repealing Chapter 166 of the Session Laws of 1933 and Chapter 55 of the Laws of Washington, Special Session of 1933, together with all other acts or parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Roland, 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. 219**, by Senator Miller, entitled: "An Act to regulate, control, and safeguard the disbursement of funds expended for the creation, construction, extension, repair, or ornamentation of any public building, highway, levee, dam, excavation, dredging, drainage, or other construction project, and for other purposes."

The bill was read the first time, and on motion of Senator Miller, 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. 220**, by Senators Stinson, Nelson and McAulay, entitled: "An Act establishing a primary state highway to be known as State Road No. —, or the Mount Adams Highway."

The bill was read the first time, and on motion of Senator Nelson, 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. 221**, by Senator Duggan, entitled: "An Act classifying counties by population, providing for the election of county officers and in certain classes of counties of certain officers who shall exercise the powers and perform the duties of two or more officers, and defining their powers and duties, and fixing the compensation of county officers, and amending Section 6 of Chapter 136, Laws of 1933, being Section 4200-5a of Remington's Revised Statutes, Supplement."

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. 222**, by Senator McAulay, entitled: "An Act relating to election of precinct committeemen and precinct committeewomen and amending Section 1 of Chapter 158 of the Laws of the Extraordinary Session of 1925 as amended by Section 1 of Chapter 200 of the Laws of 1927, being Section 5198, 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 Elections and Privileges.

**Engrossed House Bill No. 149**, by Representative Drew, entitled: "An Act relating to taxation of real and personal property, regulating the collection of taxes, conferring certain powers on county treasurers, and amending Sections 82, 84, 87, 89 and 104 of Chapter 130, Laws of the Extraordinary Session 1925, and Section 83 of said chapter as amended by Chapter 113, Session Laws of 1931, and Section 86 of said Chapter 130 as amended by Chapter 33, Session Laws of 1933, and declaring this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Peirce, 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. 21**, by Representative Smith (J. B.), entitled: "An Act relating to cities of the first class, authorizing such cities owning and operating public utilities to deal with and to contract with employees of such utilities and their accredited representatives, concerning wages, hours and conditions of labor therein."

The bill was read the first time, and on motion of Senator Peirce, 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. 173**, by Representative Murray, entitled: "An Act granting attorneys at law power to take and certify verifications and other affidavits to be used in court."

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 Judiciary.

**House Bill No. 200**, by Representatives Jones and Ott, entitled: "An Act relating to sessions of the legislature, fixing time of meeting and amending Section 1 of Chapter 20 of the Laws of 1891."

The bill was read the first time, and on motion of Senator Miller, 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 Representative Yantis, entitled: "An Act relating to clams and amending Section 100, Chapter 31, Laws of 1915, as amended by Chapter 169, Laws of 1917, as amended by Chapter 74, Laws of 1931, being Section 5751 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, and referred to the Committee on Fisheries.

#### GENERAL FILE.

**Senate Bill No. 14**: On motion of Senator Malstrom, Senate Bill No. 14 was placed at the end of today's calendar.

**Senate Bill No. 83**, by Senators Farquharson, Morrow, Kyle and Gannon, entitled: "An Act providing for instruction in public service in the University of Washington and in the Washington State College," was read the third time.

Senators Malstrom, Kyle and Orndorff demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 83, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Farquharson, Gannon, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Mehner, Metcalf, Morrow, Murfin, Nelson, Orndorff, Peirce, Shorett, Steele, Stinson, Tewksbury, Thomas—21.

Those voting nay were: Senators Brunton, Dawson, Duggan, Garrett, Knutzen, Maxwell, McAulay, McMillan, Miller, Murphy (James A.), Reardon, Ronald, Ryan (Scott M.), Smith, Thein, Worum—17.

Absent or not voting: Senators Barnes, Drumheller, Ferryman, Murphy (Kebel), Norman, Nugent, Ryan (J. H.), Todd—8.

The bill, having failed to receive the constitutional majority, was declared lost.

**Senate Bill No. 84**, by Senator Keller, entitled: "An Act relating to dogs, providing for the assessment and collection of annual taxes thereon, and amending Section 1 of Chapter 198, Session Laws of 1929," was read the third time.

Senator Peirce moved the adoption of the following amendment:

Amend Section 1, in line one of the original and printed bill commencing with the word "that" following the words "Section 1," strike the balance of the section and insert the following: "That Chapter 198 of the Laws of 1929 be and the same is hereby repealed."

Senators Miller, Roland and Lovejoy demanded the previous question.

The previous question was ordered.

Senators Peirce, Kyle, Lovejoy, Ryan (Scott M.), Gannon, Drumheller, Todd and Roland demanded a roll call on the motion by Senator Peirce.

A roll call was ordered.

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

Those voting aye were: Senators Bengtson, Brunton, Dailey, Drumheller, Farquharson, Gannon, Maxwell, Metcalf, Miller, Morrow, Murphy

(James A.), Nelson, Norman, Peirce, Roland, Ryan (Scott M.), Smith, Stinson, Tewksbury, Thomas, Todd, Worum—22.

Those voting nay were: Senators Dawson, Duggan, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Murfin, Orndorff, Ronald, Shorett, Steele, Thein—18.

Absent or not voting: Senators Barnes, Ferryman, Murphy (Kebel), Nugent, Reardon, Ryan (J. H.)—6.

On motion of Senator Peirce, the following amendment was adopted:

Amend the title by striking the entire title and inserting in lieu thereof: "An Act relating to Dogs and repealing Chapter 193, of the Session Laws of 1929."

Senator Murfin moved that Senate Bill No. 34 as amended be re-referred to the Committee on Judiciary.

The motion lost.

The Secretary called the roll on the final passage of Senate Bill No. 34, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Drumheller, Farquharson, Gannon, Garrett, Keller, Kerstetter, Kyle, Maxwell, Morrow, Murphy (James A.), Nelson, Norman, Peirce, Roland, Ryan (Scott M.), Smith, Tewksbury, Thein, Thomas, Todd—23.

Those voting nay were: Senators Dawson, Duggan, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Murfin, Orndorff, Ronald, Shorett, Steele, Stinson, Worum—16.

Absent or not voting: Senators Barnes, Ferryman, Miller, Murphy (Kebel), Nugent, Reardon, Ryan (J. H.)—7.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Duggan gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 34 failed to pass the Senate.

**Engrossed House Bill No. 127**, by Judiciary Committee, entitled: "An Act relating to the filling of vacancies on the Supreme and Superior Courts of this State and amending Sections 11044 and 11049 of Remington's Compiled Statutes of Washington," was read the third time.

Senators Kyle, Malstrom 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. 127 and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Norman, Orndorff, Roland, Ronald, Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—35.

Those voting nay were: Senators Peirce, Ryan (Scott M.)—2.

Absent or not voting: Senators Barnes, Ferryman, Miller, Murphy (Kebel), Nelson, Nugent, Reardon, Ryan (J. H.), 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 Joint Memorial No. 16**, by Senator McMillan: "Memorial for the relief of farmers against agricultural indebtedness," was read the third time.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 16 and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—37.

Absent or not voting: Senators Barnes, Duggan, Ferryman, Miller, Murphy (Kebel), Nugent, Reardon, Ryan (J. H.), Stinson—9.

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

On motion of Senator Lovejoy, the Senate referred back to the first order of business.

The Secretary read:

**Senate Concurrent Resolution No. 5**, by Senator Lovejoy: "Relating to a joint session."

On motion of Senator Lovejoy, the rules were suspended, the resolution read the second time by title, read the third time, and adopted.

On motion of Senator Lovejoy, Engrossed House Concurrent Resolution No. 7 was re-referred to the Committee on Liquor Control.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 11, 1935.

MR. PRESIDENT:

The Speaker has signed House Bill No. 116, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

The President signed House Bill No. 116.

At 12:35 o'clock p. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## THIRTIETH DAY

### MORNING SESSION.

#### SENATE CHAMBER.

OLYMPIA, WASH., Tuesday, February 12, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Father O'Dwyer of St. Michael's Church of Olympia offered prayer.

The Secretary called the roll, all members being present except Senators Barnes and Ferryman, who were excused, and Senators Norman and Stinson.

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

The Secretary read:

**Senate Joint Memorial No. 18**, by Senator Murphy (James A.): "Relating to a tunnel through the Cascade Mountains."

The memorial was read the first time, and on motion of Senator Murphy (James A.), the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Memorials.

Senator Duggan moved that the Senate now reconsider the vote by which Senate Bill No. 34 failed to pass the Senate.

The motion carried.

#### RECONSIDERATION.

**Senate Bill No. 34:**

Senator Duggan moved that the amendment to Section 1 of the bill be stricken.

The motion carried.

Senator Duggan moved the adoption of the following amendment:

Amend Section 1, line 7 of the original bill, same being line 3 of the printed bill by striking after the word and figure "Section 1." and insert in lieu thereof the following:

"In each county which elects to proceed under this Act, which election shall be by the vote of its Board of County Commissioners, it shall be the duty of each county and township assessor annually, at the time of assessing personal property, to make a list of all persons who own or keep a dog or dogs outside the corporate limits of any city \* \* \* and to set opposite the name of each owner or keeper the number of dogs owned or kept, stating whether male, sterilized female, or unsterilized female, and to assess against every such owner or keeper a license tax as follows:

For each male dog.....	\$1.00
For each sterilized female dog.....	1.00
For each unsterilized female dog.....	2.50

*Provided*, That for dogs kept in kennels for breeding, sale or sporting purposes an individual license tax shall not be assessed, but the owner or keeper of such kennel shall be assessed a kennel license as follows:

For 20 dogs, or less.....	\$10.00
For each additional 20 dogs, or fraction thereof.....	5.00"

Senator Miller moved that the rules be suspended and that the amendment by Senator Duggan be laid on the table without taking the bill with it. The motion of Senator Miller lost.

Senators Ryan (J. H.), Miller and Kyle demanded the previous question. The previous question was ordered.

The motion of Senator Duggan carried and the amendment was adopted.

Senator Todd moved that the amendment to the title of the bill be stricken.

The motion carried.

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 Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Nelson, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—38.

Those voting nay were: Senators Miller, Murphy (James A.), Peirce—3.

Absent or not voting: Senators Barnes, Ferryman, Murphy (Kebel), Norman, 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.

The Secretary read:

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

MR. PRESIDENT: SENATE CHAMBER,  
OLYMPIA, WASH., February 12, 1935.

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Concurrent Resolution No. 5: "Relating to a joint session," have compared same with the Engrossed Concurrent Resolution and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, D. E. McMillan.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

We, your Committee on Judiciary, to whom was referred Senate Bill No. 78, entitled: "An Act relating to garnishments and the exemption therefrom of salaries of elective public officers, and of wages or salaries for personal services; and amending Section 23 of Chapter LVI (56) of the Laws of 1893 as amended by Section 1 of Chapter 139 of the Laws of 1901 as amended by Section 1 of Chapter 210 of the Laws of 1907 as amended by Section 1 of Chapter 287 of the Laws of 1933, being Section 703 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 be reported out without recommendation.

E. N. STEELE, *Chairman.*

We concur in this report: H. I. Kyle, Judson W. Shorett, C. F. Stinson. Geo. F. McAulay, J. A. Murphy, A. M. Murfin, Fred S. Duggan, E. L. Brunton.

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

## SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., February 8, 1935.

We, your Committee on Judiciary, to whom was referred House Bill No. 67, entitled: "An Act relating to the State Law Library and providing for a Legislative and Municipal Reference Bureau as a part thereof; making an appropriation 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.

E. N. STEELE, *Chairman*.

We concur in this report: Geo. F. McAulay, H. I. Kyle, Judson W. Shorett, C. F. Stinson, Fred S. Duggan, J. A. Murphy, A. M. Murfin, Chas. H. Todd.

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

## SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., February 8, 1935.

We, your Committee on Judiciary, to whom was referred Senate Bill No. 137, entitled: "An Act relating to the care of persons suffering from tuberculosis, authorizing the establishment, maintenance and operation of joint county sanatoria for the treatment of such persons, and providing state aid therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman*.

We concur in this report: H. I. Kyle, C. F. Stinson, E. L. Brunton, Geo. F. McAulay, Fred S. Duggan, J. A. Murphy, A. M. Murfin, Chas. H. Todd.

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

The Committee on Elections and Privileges recommended that Senate Bill No. 99 do pass as amended.

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

The Committee on Elections and Privileges recommended that Senate Bill No. 15 do pass as amended.

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

The Committee on Game and Game Fish recommended that Senate Bill No. 9 do pass as amended.

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

The Committee on Revenue and Taxation recommended that Engrossed House Bill No. 39 do pass as amended.

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

The Committee on Revenue and Taxation recommended that Engrossed House Bill No. 64 do pass as amended.

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

The Secretary read:

## MESSAGES FROM THE HOUSE.

## HOUSE OF REPRESENTATIVES,

MR. PRESIDENT:

OLYMPIA, WASH., February 11, 1935.

The Speaker has signed Senate Concurrent Resolution No. 2; also

Senate Concurrent Resolution No. 3; also

Senate Joint Memorial No. 3; also

Senate Bill No. 33; also

The House has passed Engrossed Substitute House Bill No. 55, also

The House has passed Re-engrossed House Bill No. 134; also  
 The House has adopted Senate Concurrent Resolution No. 5, and the same are  
 herewith transmitted.  
 S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., February 12, 1935.

MR. PRESIDENT:

The Speaker has signed House Bill No. 127; also  
 The House has passed Engrossed House Bill No. 72; also  
 House Bill No. 255, and the same are herewith transmitted.  
 S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., February 11, 1935.

MR. PRESIDENT:

The Speaker has appointed Representatives Holt, Chairman, Boede, Austin, McCauley and Reeves as members of the Committee provided for in Senate Concurrent Resolution No. 2.  
 S. R. HOLCOMB, *Chief Clerk*.

The President signed House Bill No. 127 and Senate Concurrent Resolution No. 5.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 223**, by Senator Malstrom, entitled: "An Act authorizing and directing a conveyance by quit claim deed in behalf of the State of Washington to the Tacoma Area Council, Boy Scouts of America, of certain real estate."

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 Granted, School and Tide Lands.

**Senate Bill No. 224**, by Senators Lovejoy and Malstrom, entitled: "An Act relating to filiation proceedings, amending Sections 1970 and 1978 of Remington's Compiled Statutes, and repealing Section 1979-6 of Remington's Compiled 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, ordered printed and referred to the Committee on Judiciary.

**Senate Bill No. 225**, by Senators Lovejoy and Malstrom, entitled: "An Act providing for the rights of children born out of wedlock, amending Section 1345 of Remington's Compiled Statutes of Washington, 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. 226**, by Senators Garrett and Kyle, entitled: "An Act relating to State Road No. 5, and amending Section 6791-4, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Garrett 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. 227**, by Senators Mehner, Thomas, Shorett, Orndorff, Tewksbury, Murfin and Farquharson, entitled: "An Act relating to taxa-

tion; providing for exemptions; repealing all acts and parts of acts in conflict therewith and declaring that the act shall take effect immediately."

The bill was read the first time, and on motion of Senator Mehner 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. 228**, by Senator Miller, entitled: "An Act relating to minimum wages of employees of the State of Washington and of all municipal corporations and divisions thereof in the State of Washington; repealing laws in conflict and declaring an emergency."

The bill was read the first time, and on motion of Senator Miller 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. 229**, by Senators Ryan (Scott M.) and Roland, entitled: "An Act appropriating one hundred thousand dollars (\$100,000.00) for the relief of secondary highways in Whatcom County; and declaring an emergency."

The bill was read the first time, and on motion of Senator Ryan (Scott M.), 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 Substitute House Bill No. 55**, by Committee on Roads and Bridges, entitled: "An Act relating to motor fuel and lubricants, providing for the purchase, sale, transportation, distribution and production thereof by the State of Washington; providing for the conservation of the potential supply thereof; establishing a Gasoline Revolving Fund; appropriating monies from the Motor Vehicle Fund as a loan to the Gasoline Revolving Fund; appropriating monies from the Gasoline Revolving Fund; providing for the issuance and sale of Gasoline Revenue Bonds and the application of the proceeds thereof; prescribing duties and powers of certain state officers; defining offenses, and prescribing penalties therefor."

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

**Re-Engrossed House Bill No. 134**, by Representative Ford, entitled: "An Act relating to balances in county, city and school district funds, providing for investment of same and return of proceeds from such investments to the original fund."

The bill was read the first time, and on motion of Senator Peirce 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. 14**, by Senator Nugent, entitled: "An Act to provide an institution for the confinement, cure, care and rehabilitation of drug addicts, and providing for the government maintenance and control thereof, and providing for the admission and commitment of drug addicts thereto, and providing penalties for unlawful conniving to have persons adjudged drug addicts, and providing penalties for procuring the escape or aiding or abetting the escape of inmates thereof and/or the harboring and concealing of escaped inmates thereof," was read the third time.

Senator Peirce moved that Senate Bill No. 14 be indefinitely postponed. Senators Miller, Murfin and Kyle demanded the previous question.

The previous question was ordered.

Senators Ryan (J. H.), Maxwell, Peirce, Miller, Kyle, Steele, Shorett and Morrow demanded a roll call on the motion by Senator Peirce.

The Secretary called the roll on the motion by Senator Peirce and it lost by the following vote:

Those voting aye were: Senators Duggan, McAulay, Orndorff, Peirce, Reardon—5.

Those voting nay were: Senators Bengtson, Brunton, Dailey, Dawson, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—35.

Absent or not voting: Senators Barnes, Drumheller, Ferryman, Norman, Smith, Stinson—6.

Senators Nugent, Tewksbury and Kerstetter demanded a call of the Senate.

A call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senators Barnes and Ferryman, who were excused, and Senators Stinson and Brunton.

The Sergeant-at-Arms locked the doors of the Senate.

On motion of Senator Lovejoy, the Senate proceeded under the call of the Senate.

On motion of Senator Bengtson, the following amendment was adopted:

Amend Sec. 4, line 37 of the printed bill, strike, "county from which the commitment is made.", and insert "State of Washington."

Senator Kerstetter moved the adoption of the following amendment:

Amend Sec. 5, page 2, line 43 of the printed bill, by striking after the word "addiction" in said line, the following words "or in the opinion of the superintendent thereof, there is no reasonable probability of a cure of such drug addict being affected."

The motion of Senator Kerstetter lost.

On motion of Senator Kerstetter, the following amendment was adopted:

Amend Sec. 5, page 2, line 43 of the printed bill, by striking after the word "is" and before the word "cured" the word "either".

Senator Lovejoy moved that the Senate reconsider the vote by which the amendment by Senator Kerstetter to Section 5, line 43 of the printed bill, lost.

The motion carried.

On motion of Senator Kerstetter, the amendment was adopted.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

MR. PRESIDENT:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 12, 1935.

The Speaker has signed Senate Concurrent Resolution No. 5; also The House has adopted Engrossed House Joint Resolution No. 10; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Senate resumed consideration of Senate Bill No. 14.

On motion of Senator Kyle, the following amendment was adopted:

Amend Sec. 6, page 3 of the printed bill so that the word "affect" in line 23 of the printed bill be stricken and the word "effect" be inserted in lieu thereof, and that the word "affected:" in lines 23 and 24 of the printed bill be stricken and the word "effected:" be inserted in lieu thereof.

Senator Reardon moved the adoption of the following amendment:

Amend the bill by adding a new section to be known as "Section 13" to read as follows: "That an emergency exists and that this act is necessary to the peace, health and safety of the State of Washington and its existing institutions and shall take effect immediately."

Senator Malstrom moved that the rules be suspended and the amendment by Senator Reardon be laid on the table without taking the bill with it.

The motion carried.

On motion of Senator Maxwell, the following amendment was adopted:

Amend Sec. 12, line 5 of the printed bill by striking out the word "practive," and insert in lieu thereof the word "practical,".

On motion of Senator Miller, the call of the Senate was dispensed with.

Senator Peirce moved that the Senate adjourn.

The motion lost.

The Secretary called the roll on the final passage of Senate Bill No. 14, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—35.

Those voting nay were: Senators Duggan, McAulay, Morrow, Orndorff, Peirce, Reardon—6.

Absent or not voting: Senators Barnes, Ferryman, Norman, Smith, 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 Kyle gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 14 passed the Senate.

At 12:05 o'clock p. m. on motion of Senator McAulay, the Senate recessed until 1:45 o'clock p. m.

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#### AFTERNOON SESSION.

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The Senate reconvened at 1:45 o'clock p. m., President Pro Tempore Peirce in the Chair.

Senators Nelson, Ronald and Ryan (J. H.), demanded a call of the Senate.

A call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senators Barnes and Ferryman, who were excused, and Senators Stinson and Brunton.

The Sergeant-at-Arms locked the doors of the Senate.

On motion of Senator Gannon, the Senate proceeded under the call of the Senate.

The Secretary read:

(Postal Telegram, received at Legislative Bldg., Branch Office, Olympia, Wash.)

DL. GOVT. HO. WASHINGTON, D. C. 1110A Feb. 12, 1935

HON. EARL MAXWELL, State Senate, Olympia, Wash:

Large sums recommended by us Army engineers, flood control, Western Washington rivers conditioned, state and local bodies join in cost. Stop. Necessary proper legislation be provided while legislature in session for method of taxation benefitted lands so as to avail local projects of Federal allocations. Stop. Urge that proper legislation be drawn and that floor leaders of each body arrange to give it right of way for immediate consideration.

WESLEY L. LLOYD.

MC 841A

On motion of Senator Maxwell, the message of Wesley Lloyd was ordered spread upon the journal.

On motion of Senator Maxwell, the further call of the Senate was dispensed with.

At 2:00 o'clock p. m. the Senate recessed to convene in joint session with the House in the House Chamber to commemorate the birthday of Abraham Lincoln.

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#### JOINT SESSION.

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The Sergeant-at-Arms of the House 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 President of the Senate called the Joint Session to order at 2:15 o'clock p. m.

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

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

The President appointed Representatives Boede, Wentworth and Emory and Senators Duggan and Bengtson as a committee of five to notify the Governor that the Legislature was in joint session to commemorate the birthday of Abraham Lincoln.

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

The President:

"We are convened today in joint session to commemorate the anniversary of one of our greatest Americans, Abraham Lincoln.

"At this time I will ask Senator Lovejoy, who is chairman of the program committee to step forward and take charge."

#### THE PROGRAM.

Marymount Military Academy.....	Band Selections
Judge E. Hackett.....	Address
Sergeant Richard Bronson.....	Gettysburg Address
Miss Duggan.....	Vocal Solo
Fred Schade.....	Address
Colonel Charles Bartholomew.....	Address

The committee escorted the Governor from the House Chamber.

At 4:00 o'clock p. m. on motion of Representative Adams, the joint session was dissolved.

The Senate reconvened in the Senate Chamber at 4:10 o'clock p. m., President Meyers in the Chair.

At 4:12 o'clock p. m. on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## THIRTY-FIRST DAY

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### MORNING SESSION.

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SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, February 13, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Father O'Dwyer of the St. Michael's Church of Olympia offered prayer.

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

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

The Secretary read:

**Engrossed House Joint Resolution No. 10**, by Representatives Waldron, Adams, Mackie, Richmond (W. A.), Neff, Ford, Wentworth, Wilson, Easterday, Carty, Skinner, Donahoe, Herren, Schultz, Holt, Clark, Keith, Cohen, Yantis, Brown, Bowden, McDonald (J. D.), McCarty, Martin (F. J.), Strickland, Sullivan, Sawyer, Schroeder, Klemgard, Bohlke, Drew, Murray, Smith (M. B.), Reeves, Parker, Johnson (Hans), Edlund, Austin, Karr, Gessell, Todd, Freese, Sandegren, Christianson, Wanamaker, McDonald (D. A.), Martin (J. R.), Hales, Reilly, Richmond (C. L.), Dixon, Ryan, Gifford, McDonnell, Van Dyk, Lynch, Devenish, Huetter, Luck, Gehlen, Myers, Boyle, Smith (J. B.), Joyce, Johnston (Geo. H.), Hall, Lindgren, Ledgerwood, Twidwell, Haddon, McDonald (R. T.), Morgan, Jones, Wingrove, Kelly, Cowen, Edwards, Hurley, Halleran, Bell, Neal, Nelsen, Smith (T. E.), Boede and McCauley: "Providing for amendment of the Constitution of the State of Washington by adding thereto Article XXVIII."

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

Senator Farquharson moved that the Senate reconsider the vote by which House Joint Memorial No. 3 failed to pass the Senate.

The motion carried.

**RECONSIDERATION.**

The Secretary called the roll on the final passage of House Joint Memorial No. 3, and it passed the Senate by the following vote:

Those voting aye were: Senators Drumheller, Farquharson, Ferryman, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thomas, Todd, Worum—30.

Those voting nay were: Senators Dawson, Garrett, Knutzen, McMillan, Orndorff, Thein—6.

Absent or not voting: Senators Barnes, Bengtson, Brunton, Dailey, Duggan, Gannon, Maxwell, Morrow, Reardon, Smith—10.

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

Senator Kyle stated that he did not wish to reconsider the vote by which Senate Bill No. 14 passed the Senate.

Senators Miller, Kyle and Ryan (J. H.) demanded a call of the Senate. The call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senators Morrow and Barnes.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Mehner, the Senate proceeded under the call of the Senate.

Senator Miller moved that the Senate reconsider the vote by which Senate Joint Memorial No. 9 failed to pass.

The motion carried.

**RECONSIDERATION.**

Senators Murfin, Gannon and Kyle demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 9, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Keller, Kerstetter, Kyle, Malstrom, Maxwell, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—24.

Those voting nay were: Senators Bengtson, Dawson, Drumheller, Gannon, Garrett, Knutzen, Lovejoy, McAulay, McMillan, Metcalf, Murfin, Orndorff, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—19.

Absent or not voting: Senators Barnes, Brunton, Duggan—3.

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

The Secretary read:

**REPORT OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 12, 1935

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 34, entitled: "An Act relating to dogs, providing for the assessment and collec-

tion of annual taxes thereon, and amending Section 1 of Chapter 198, Session Laws of 1929," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson, P. Frank Morrow.

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

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 12, 1935

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Joint Memorial No. 17: "Relating to petitioning the Federal Government to appropriate \$125,000 for the construction of a bridge over the Portage Canal," 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: Earl Maxwell, Scott M. Ryan.

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

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 13, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 139; also  
House Bill No. 279; also  
House Joint Memorial No. 18, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

**Senate Bill No. 230**, by Senators Farquharson and Malstrom, entitled: "An Act relating to the processing, sale and distribution of milk; providing for the purchase, sale, transportation, processing and distribution thereof by the State of Washington or any of the political subdivisions thereof; declaring the distribution of milk to be a public utility; making an appropriation therefor; and defining the term 'milk' and other terms used in this act, and declaring an emergency."

The bill was read the first time, and on motion of Senator Knutzen 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. 231**, by Senators Ronald and McAulay, entitled: "An Act relating to irrigation and drainage, providing for a soil survey of land under irrigation in Kittitas County, and making an appropriation."

The bill was read the first time, and on motion of Senator Ronald, 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. 232**, by Senator Miller (by request), entitled: "An Act making an appropriation in aid of the acquisition and construction of a new route to take the traffic of the Pacific Highway through the City of Seattle."

The bill was read the first time, and on motion of Senator Miller 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. 233**, by Senator Roland, entitled: "An Act relating to the appointment of police judges in cities of the first class and amending Section 2 of Chapter 85 of the Session Laws of 1899 (Section 8992, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Roland 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 Senator Nugent, entitled: "An Act relating to marriage licenses and requiring medical certificates of both applicant for marriage licenses and the payment of fees by such applicants; providing penalties and repealing all laws in conflict."

The bill was read the first time, and on motion of Senator Nugent 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. 235**, by Senators Peirce and McAulay, entitled: "An Act relating to the rates of common carriers of property for compensation and amending Section 57 of Chapter 117 of the Laws of 1911 (Section 10393, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Peirce 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. 236**, by Senators McAulay and Ronald, entitled: "An Act relating to the foreclosure of mortgages on real property, granting relief from inequitable foreclosure, and providing 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 Judiciary.

**Engrossed House Bill No. 72**, by Representative Brown, entitled: "An Act for the relief of E. J. Rohrbach and Norris E. Inveen and making appropriation therefor."

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

**House Bill No. 255**, by Committee on Appropriations (by Executive request), entitled: "An Act making a deficiency appropriation to the Secretary of States for printing initiative and referendum measures and constitutional amendments and declaring an emergency."

The bill was read the first time, and on motion of Senator Steele 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. 68**, by Representative Yantis, entitled: "An Act relating to the organization, management, powers and supervision of savings and loan associations; providing for cooperation with the Federal Government

to encourage improvement in housing standards and conditions under the National Housing Act," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 68, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Those voting nay were: Senators Murphy (Kebel), Ryan (Scott M.)—2.  
Absent or not voting: Senators Barnes, Garrett—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. 69**, by Representative Yantis, entitled: "An Act relating to and regulating investments by mutual savings banks, and amending Chapter 74 of the Laws of 1929 by adding thereto Section 3a, declaring an emergency and providing that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 69, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Those voting nay were: Senator Murphy (Kebel)—1.

Absent or not voting: Senators Barnes, Dawson, Garrett—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. 86**, by Representative Yantis, entitled: "An Act relating to the investment and management of trust funds, amending Section 1 and Section 3, Chapter 37 of the Laws of Extraordinary Session 1933," was read the third time.

On motion of Senator Lovejoy, the following amendment was adopted:

Amend the title by striking the period at the end of the title and inserting a comma (,) and add the following: "and declaring an emergency."

The Secretary called the roll on the final passage of House Bill No. 86, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Those voting nay were: Senator Murphy (Kebel)—1.

Absent or not voting: Senators Barnes, Garrett, Steele—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. 87**, by Representative Yantis, entitled: "An Act relating to insurance and the investment of funds of any insurance company in insured obligations of the Federal Government and providing for cooperation and investments pursuant to the 'National Housing Act,' providing for deposit of such obligations wherein deposit is required by law, or otherwise, amending Chapter 112 of the Laws of 1921 by adding thereto a new section and declaring an emergency," was read the third time.

Senator Thomas moved the adoption of the following amendment:

In line 8, delete "or any foreign or"; in line 9, delete "alien insurance company".

Senator Malstrom moved that the rules be suspended, and that the amendment by Senator Thomas be laid on the table without taking the bill with it.

The motion of Senator Malstrom carried.

The Secretary called the roll on the final passage of House Bill No. 87, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—41.

Those voting nay were: Senators Murphy (Kebel), Ryan (J. H.), Thomas—3.

Absent or not voting: Senators Barnes, Garrett—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. 118:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 6, 1935.

**MR. PRESIDENT:**

We, your Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 118, entitled: "An Act for the protection of shipping and the safety of human life and property, regulating pilots and pilotage on the waters of Puget Sound and adjacent inland waters; creating the Board of Pilotage Commissioners of the State of Washington and prescribing its powers and duties; providing for the licensing, regulation and compensation of pilots; establishing a special fund for the purposes of this act and appropriating monies therefrom; defining vessels subject to pilotage; prohibiting piloting by unlicensed persons and the employment of unlicensed persons as pilots; defining offenses under this act and prescribing penalties for the same; and repealing certain 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 with the following amendments:

Amend Section 4, being following words in lines 21 and 22 of the original bill, same being lines 19 and 20 of the printed bill, by striking "including all vessels sailing under register between a port of the State of Washington and any other port."

Amend Section 8, being line 19 of the original bill, same being line 24 of the printed bill, by striking the period after the figure "\$100.00" and adding the words "to be placed in the State Treasury to the credit of the Puget Sound Pilotage Fund, hereinafter created."

Amend Section 10, being following words in lines 13 and 14 of the original bill, same being lines 18 and 19 of the printed bill, by striking "Department of Labor and Industries," and substituting therefor the following words "state Treasurer."

Amend Section 12 by striking the whole and inserting in lieu thereof the following: "Section 12. There is hereby created in the State Treasury a special fund to be known as the Puget Sound Pilotage Fund. All monies collected under the provisions of this act shall be paid into the State Treasury to the credit of said fund. There is hereby appropriated from the Puget Sound Pilotage Fund the amount of five thousand dollars (\$5000.00), for the payment of the expenses, maintenance and operation of the board of Pilotage Commissioners as herein constituted."

J. H. RYAN, *Chairman.*

We concur in this report: P. Frank Morrow, Geo. H. Gannon, Paul G. Thomas.

On motion of Senator Ryan (J. H.), the report of the committee was received.

Senator Drumheller moved that House Bill No. 118 be made a special order of business for tomorrow morning at 10:30 o'clock a. m.

Senator Maxwell moved that the motion by Senator Drumheller be laid on the table.

The motion of Senator Maxwell carried.

On motion of Senator Maxwell, the following committee amendment was adopted:

Amend Sec. 4, being following words in lines 21 and 22 of the original bill, same being lines 19 and 20 of the printed bill, by striking "including all vessels sailing under register between a port of the State of Washington and any other port."

Senator Dawson moved the adoption of the following amendment:

Amend Section 4, line 17 of the printed bill, by inserting immediately after the words "British Columbia" the following: "and all American owned vessels, whether under enrollment or register, having on board pilots holding Federal licenses to pilot on Puget Sound and on adjacent inland waters."

The motion of Senator Dawson lost.

Senator Murfin moved the adoption of the following amendment:

Amend Sec. 6, being line 41 on page 2 of the printed bill, by adding after the word "committed" at the end of said section the following words: "Provided, That the provisions of Sections 5 and 6 shall not apply to any person, firm, corporation, or association employing a duly licensed pilot exclusively, and upon full time salary by the month or longer period to pilot only the ships of such person, firm, corporation, or association upon the waters of Puget Sound and adjacent inland waters."

Senator Morrow moved that the rules be suspended and that the amendment by Senator Murfin be laid on the table without taking the bill with it.

The motion by Senator Morrow lost.

Senators Kyle, Todd and Nelson demanded a roll call on the motion by Senator Murfin.

A roll call was ordered.

The Secretary called the roll on the adoption of the amendment by Senator Murfin and it lost by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Drumheller, Duggan, Ferryman, Keller, Knutzen, McAulay, Metcalf, Murfin, Nor-

man, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—21.

Those voting nay were: Senators Dawson, Farquharson, Gannon, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Pierce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—23.

Absent or not voting: Senators Barnes, Garrett—2.

Senator Peirce moved that the call of the Senate be dispensed with.

The motion lost.

On motion of Senator Maxwell, the following committee amendment was adopted:

Amend Sec. 8, being line 19 of the original bill, same being line 24 of the printed bill by striking the period after the figure “(\$100.00)” and adding the words “to be placed in the State Treasury to the credit of the Puget Sound Pilotage Fund, herein-after created.”

On motion of Senator Maxwell, the following committee amendment was adopted:

Amend Sec. 10, being following words in lines 13 and 14 of the original bill, same being lines 18 and 19 of the printed bill, by striking “Department of Labor and Industries,” and substituting therefor the following words “state treasurer.”

Senator McAulay moved the adoption of the following amendment:

Strike comma after word “board” in line 7 page 4 of printed bill and insert period, and also strike “and such affidavit shall be conclusive as to such mailing.”

Senator Malstrom moved that the rules be suspended, and that the amendment by Senator McAulay be laid on the table without taking the bill with it.

The motion by Senator Malstrom lost.

The motion by Senator McAulay lost.

Senator Reardon moved the adoption of the following amendment:

Amend Section No. 9 sub sec. C, in line 35 after word “shall” insert following: “not be increased but may be lowered and shall.”

Senator Malstrom moved that the rules be suspended and that the amendment by Senator Reardon be laid on the table without taking the bill with it.

The motion by Senator Malstrom lost.

The motion by Senator Reardon lost.

Senator Drumheller moved that the further call of the Senate be dispensed with.

Senators Todd, Gannon and Reardon demanded a roll call on the motion by Senator Drumheller.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Drumheller and it lost by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, McAulay, Metcalf, Norman, Orndorff, Peirce, Reardon, Ryan (Scott M.), Smith, Stinson, Tewksbury, Todd, Worum—20

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner,

Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Roland, Ronald, Ryan (J. H.), Shorett, Steele, Thein, Thomas—25.

Absent or not voting: Senator Barnes—1.

Senator Maxwell moved the adoption of the following committee amendment:

Amend Sec. 12 by striking the whole and inserting in lieu thereof the following: "Sec. 12. There is hereby created in the State Treasury a special fund to be known as the Puget Sound Pilotage Fund. All monies collected under the provisions of this act shall be paid into the State Treasury to the credit of said fund. There is hereby appropriated from the Puget Sound Pilotage Fund the amount of five thousand dollars (\$5000.00), for the payment of the expenses, maintenance and operation of the board of Pilotage Commissioners as herein constituted."

Senator Mehner moved to amend the committee amendment with the following amendment:

Amend the committee amendment to Sec. 12. Add after end of committee amendment: Strike the period (.) and add: "not to exceed amounts paid into said fund under the provision of this act."

The motion of Senator Mehner carried.

The committee amendment, as amended, was adopted.

Senator Peirce moved that further call of the Senate be dispensed with.

The motion lost.

On motion of Senator Lovejoy, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 118.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Maxwell, 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 it be placed on final passage.

The motion carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 118, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas—30.

Those voting nay were: Senators Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Metcalf, Murfin, Orndorff, Peirce, Reardon, Smith, Todd, Worum—15.

Absent or not voting: Senator Barnes—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 Nugent, the call of the Senate was dispensed with.

At 2:55 o'clock p. m. on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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**THIRTY-SECOND DAY**

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**MORNING SESSION.**

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SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, February 14, 1935.

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

Reverend Father O'Dwyer of the St. Michael's Church of Olympia offered prayer.

The Secretary called the roll, all members being present except Senator Barnes, who was excused, and Senators Smith and Worum.

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. 17**, by Senator Morrow: "Relating to taxation; and amending Section 1 of Article VII of the constitution of the State of Washington."

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

**Senate Joint Memorial No. 19**, by Senator Tewksbury: "Relating to loans to oyster planters."

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

The Secretary called the roll on the final passage of Senate Joint Memorial No. 19, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd—39.

Absent or not voting: Senators Barnes, Dailey, Maxwell, Nugent, Smith, Stinson, Worum—7.

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

On motion of Senator Tewksbury, the rules were suspended, and the memorial was ordered immediately transmitted to the House.

**House Joint Memorial No. 18**, by Representative McDonald (D. A.): "Relating to the construction of the Pacific International Highway to Fairbanks, Alaska."

The memorial was read the first time, and on motion of Senator Steele, 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 13, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 14, entitled: "An Act to provide an institution for the confinement, cure, care and rehabilitation of drug addicts, and providing for the government, maintenance and control thereof, and providing for the admission and commitment of drug addicts thereto, and providing penalties for unlawfully conniving to have persons adjudged drug addicts, and providing penalties for procuring the escape or aiding or abetting the escape of inmates thereof and/or the harboring and concealing of escaped inmates thereof," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, P. Frank Morrow.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 13, 1935.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate Bill No. 26, entitled: "An Act relating to work on mining claims and amending Section 8618 of Remington's Compiled 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.

JOSEPH DRUMHELLER, *Chairman.*

We concur in this report: W. G. Ronald, James Dailey, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 13, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 143, entitled: "An Act providing for the enlargement of port districts and amending Section 1, Chapter 130, Session Laws of 1921 (Section 9707 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.

J. P. KELLER, *Chairman.*

We concur in his report: John F. Worum, Geo. F. McAulay, Fred Norman.

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

A majority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 7 do pass.

A minority of the Committee on Constitutional Revision recommended that Senate Joint Resolution No. 7 do not pass.

The reports of the committee, together with the resolution, were placed on general file.

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 115 do pass.

A minority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 115 do not pass.

The reports of the committee, together with the bill, were placed on general file.

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 85 do pass as amended.

A minority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 85 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Senate Bill No. 29 do pass as amended.

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 14, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 214, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

**Senate Bill No. 237**, by Senator Reardon, entitled: "An Act defining 'city busses' and providing for licensing thereof and amending Section 6313 and Section 6326 of Remington's Revised Statutes of Washington."

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 Public Utilities.

**Senate Bill No. 238**, by Senator Lovejoy, entitled: "An Act relating to and providing for the development of certain natural resources of the state, including provisions for the development of the agricultural resources of the state and the reclamation of arid, swamp, overflow, logged-off lands, aids to commerce including commercial waterways; defining the powers and duties of the director of conservation and development and of districts organized for the reclamation of lands and/or the development of commercial waterways, and amending Sections 2, 5, 7, Chapter 158, Laws of 1919, known as the 'State Reclamation Act'."

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 Reclamation, Irrigation, Dikes, Drains and Ditches.

**Senate Bill No. 239**, by Senator Nugent, entitled: "An Act relating to education, providing for the dis-establishment of the State Normal School at Centralia, providing for the transfer of the lands comprising the site thereof to the city of Centralia, and repealing Chapter 147 of the Laws of 1919."

The bill was read the first time, and on motion of Senator Nugent, 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. 240**, by Senator Kyle, entitled: "An Act relating to and levying an excise tax on the production, refining, compounding, manufacture, sale, use and distribution of certain petroleum products, including those commonly known as gasoline, fuel oil and diesel oil; prescribing penalties; amending Sections 1, 3, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20 and 23 of Chapter 58, Laws of 1933; and declaring that the act shall take effect April 1, 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 Revenue and Taxation.

**Senate Bill No. 241**, by Senator Farquharson, entitled: "An Act repealing Chapter 170 of the Laws of 1933, requiring owners of motor vehicles to apply for certificates of ownership, registration and other things in connection therewith."

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. 242**, by Senators Murphy (J. A.), Dailey, Malstrom, Farquharson, Ryan (Scott M.), and Thomas, entitled: "An Act pensioning blind persons; providing funds for such purpose and providing penalties; and amending Sections 2, 3, 4, 7, 8 and 9 of Chapter 102 of Session Laws of 1933 and declaring an emergency."

The bill was read the first time, and on motion of Senator Murphy (J. A.), the rules were suspended, the bill was read the second time by title, ordered printed and referred to the Committee on Public Welfare and Unemployment Relief.

**House Bill No. 139**, by Representative Freese, entitled: "An Act relating to the operation of motor trucks from points outside of city limits to points inside thereof, and preventing cities from imposing a tax, license or other fee for so doing."

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 Public Utilities.

**House Bill No. 279**, by Representative McDonnell, entitled: "An Act relating to the south one-half of the southeast one-quarter of section twenty-four, township twenty-two north, range twenty-six east of the Willamette meridian and repealing all laws or parts of laws in conflict herewith."

The bill was read the first time, and on motion of Senator Steele, 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.

##### **Substitute Senate Bill No. 86:**

On motion of Senator Gannon, Substitute Senate Bill No. 86 was referred to the Committee on Banks and Banking.

**Senate Bill No. 151:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 151, entitled: "An Act providing for the investment of the Permanent School fund, the permanent funds of the normal schools, state university, scientific school, agricultural college, charitable, educational, penal and reformatory institutions, 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:

Strike Section 2 (two) from the bill and re-number Section three (3) as Section two (2).  
GEO. H. GANNON, *Chairman.*

We concur in this report: A. M. Murfin, Fred Norman, Fred S. Duggan, S. C. Roland, Geo. A. Lovejoy, Kathryn E. Malstrom.

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

On motion of Senator Gannon, the committee amendment was adopted.

On motion of Senator Steele, the following amendment was adopted:

Amend Sub-Section 4, line 7, after word "said" and before word "state" include  
" \* \* \* \* \*".

The Secretary called the roll on the final passage of Senate Bill No. 151 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—40.

Absent or not voting: Senators Barnes, Bengtson, Ferryman, Maxwell, Smith, Worum—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 Senate Bill No. 91:**

The Secretary read a message from the House stating that the House had passed Engrossed Senate Bill No. 91 with an amendment.

Senator Reardon moved that the Senate do not concur in the House amendment to Engrossed Senate Bill No. 91 and asked the House to recede therefrom.

Senator Kyle moved to amend the motion by Senator Reardon to "that the Senate defer action until the financial report of the Liquor Board is presented to the Senate."

Senator Miller moved that the consideration of the House amendment to Engrossed Senate Bill No. 91 be made a special order of business for Friday, at 11:00 o'clock a. m.

The motion by Senator Miller carried.

**Senate Bill No. 152:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 152, entitled: "An Act relating to the General Obligation Bonds of 1933 Retirement Fund, providing that money in said fund may be invested in United States government certificates, notes and bonds or in General Obligation Bonds of 1933 of the State of Washington by the state finance committee," 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 one (1) line 11 of the original bill, same being Section one, line 4 of the printed bill, as follows: After the word "government" insert the word "treasury".  
 GEO. H. GANNON, *Chairman.*

We concur in this report: A. M. Murfin, Fred Norman, Fred S. Duggan, S. C. Roland, Geo. A. Lovejoy, Kathryn E. Malstrom.

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

On motion of Senator Gannon, the committee amendment was adopted.

On motion of Senator Gannon, the following amendment was adopted:

Amend the title as follows: After the word "government" insert the word "treasury" and at the end of the title, strike the period (.) and add the following: "and declaring an emergency."

The Secretary called the roll on the final passage of Senate Bill No. 152, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—41.

Absent or not voting: Senators Barnes, Lovejoy, Morrow, Smith, Worum—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., February 14, 1935.

MR. PRESIDENT:

The House has concurred in Senate amendments to Engrossed House Bill No. 118, and passed the bill as amended; also

The House has concurred in Senate amendment to House Bill No. 86, and passed the bill as amended.  
 S. R. HOLCOMB, *Chief Clerk.*

**Senate Bill No. 153:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**SENATE CHAMBER,  
OLYMPIA, WASH., February 9, 1935.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred Senate Bill No. 153, entitled: "An Act relating to steamboat companies, providing for additional regulation and amending Chapter 117 of the Laws of 1911 as amended by Section 1 of Chapter 248 of the Laws of 1927 (Section 10361-2 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 with the following amendment:

Section 1, line 17 of original bill (line 13 of the printed bill) commencing with the word "provided," strike all down to and including the word "corporation" in line 29 of the original bill and line 21 of the printed bill, and insert the following:

"*Provided*, That nothing herein shall be construed to affect the right of any city or county within this state to construct, condemn, purchase, operate or maintain itself, or by contract, agreement or lease with any person, firm or corporation, ferries or boats across, or wharfs at or upon the waters within this state, including rivers, lakes and Puget Sound: *Provided*, This act shall not be construed to affect, amend or invalidate any contract heretofore entered into, for the operation of ferries or boats upon the waters within this state;".

ED. PEIRCE, *Chairman*.

We concur in this report: Paul G. Thomas, Geo. F. McAulay, Kebel Murphy, John F. Worum, S. C. Roland, P. Frank Morrow.

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

On motion of Senator Roland, the committee amendment was adopted.

On motion of Senator Thomas, the following amendment was adopted:

Amend Section 1, line 26 of the printed bill, by striking the period (.) after the word "use" and add the following: "; provided that this section does not apply to publicly owned utilities."

On motion of Senator Steele, further action on Senate Bill No. 153 was deferred and the bill was placed at the foot of the calendar.

**Senate Bill No. 114:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 114, entitled: "An Act relating to Tourist Camps, which provides for the sanitary inspection thereof, and fixes fees for the issuance of certificates of sanitation, making an appropriation, repealing all laws conflicting with the provisions hereof, 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.

D. O. NUGENT, *Chairman*.

We concur in this report: G. B. Kerstetter, Earl Maxwell, Horace E. Smith, Paul G. Thomas, Edmund J. Miller.

SENATE CHAMBER,  
OLYMPIA, WASH., February 8, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 114, 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*.

I concur in this report: H. L. Nelson.

On motion of Senator Nugent, the reports of the committee were received and the bill was read the third time.

On motion of Senator Steele, 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 Ferryman in the chair, and reported back to the Senate with the recommendation that it do not pass.

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

Senator Nelson moved that Senate Bill No. 114 be indefinitely postponed.

Senators Lovejoy, Miller, Malstrom, Murphy (Kebel), Shorett, Morrow, Kyle and McAulay demanded a roll call on the motion by Senator Nelson. A roll call was ordered.

The Secretary called the roll on the motion by Senator Nelson for indefinite postponement, and it carried by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Knutzen, Maxwell, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Stinson, Tewksbury, Thein, Thomas, Todd—31.

Those voting nay were: Senators Farquharson, Gannon, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, Metcalf, Murphy (James A.), Nugent, Shorett, Steele—12.

Absent or not voting: Senators Barnes, Smith, Worum—3.

Senator Miller gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 114 was indefinitely postponed.

On motion of Senator McMillan, 500 additional copies of Senate Bill No. 155 were ordered printed.

#### **Senate Bill No. 153:**

The Senate resumed consideration of Senate Bill No. 153.

On motion of Senator Steele, the following amendment was adopted:

Amend Section 1, line 1 of the printed bill as follows: After "Section 1." strike the following: "That Chapter 117 of the Laws of 1911 as amended by Section 1 of Chapter 248 of the Laws of 1927 (Section 10361-2 of Remington's Revised Statutes) be amended by adding to said Chapter 117 of the Laws of 1911 a section to be numbered 25-a and to read as follows:" "and insert in lieu thereof the following: "That Section 25-a of Chapter 117 of the Laws of 1911 which section was added thereto by Section 1 of Chapter 248 of the Laws of 1927 (Section 10361-2 of Remington's Revised Statutes), be and the same is hereby amended to read as follows:"

Senators Ronald, 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. 153, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd—37.

Those voting nay were: Senators Bengtson, Brunton, Dawson, Knutzen, Roland—5.

Absent or not voting: Senators Barnes, Murphy (Kebel), Tewksbury, Worum—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 12:40 o'clock p. m. on motion of Senator Nugent, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## THIRTY-THIRD DAY

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### MORNING SESSION.

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#### SENATE CHAMBER,

OLYMPIA, WASH., Friday, February 15, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Elmer B. Christie of the St. John's Episcopal Church of Olympia offered prayer.

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

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

The Secretary read:

**Senate Joint Memorial No. 20**, by Senator Mehner: "Relating to toll bridges."

The memorial was read the first time, and on motion of Senator Mehner, 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:

#### SENATE RESOLUTION.

By Senators Ryan (J. H.), Kyle, Gannon, Kerstetter, Shorett, Keller: "Relating to the giving of preference to Washington State Products in all purchases made by the Washington State Liquor Control Board."

On motion of Senator Steele, further action on the Senate Resolution was deferred until copies of the resolution had been placed on the desks of the Senators.

Senator Miller moved that the Senate reconsider the vote by which Senate Bill No. 114 failed to pass the Senate.

The motion lost.

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 153, entitled: "An Act relating to steamboat companies, providing for additional regulation and amending Chapter 117 of the Laws of 1911 as amended by Section 1 of Chapter 248 of the Laws of 1927 (Section 10361-2 Remington's Revised Statutes)," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, Paul Mehner.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 152, entitled: "An Act relating to the General Obligation Bonds of 1933 Retirement Fund, providing that money in said fund may be invested in United States government certificates, notes and bonds or in General Obligation Bonds of 1933 of the State of Washington by the state finance committee," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, J. W. Thein.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 151, entitled: "An Act providing for the investment of the Permanent School fund, the permanent funds of the normal schools, state university, scientific school, agricultural college, charitable, educational, penal and reformatory institutions, and declaring an emergency," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, J. W. Thein.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 142, entitled: "An Act relating to the tax levy for the reclamation revolving fund and amending Section 12, Chapter 158 of the Laws of 1919, as amended by Section 1, Chapter 218 of the Laws of 1927; Section 1, Chapter 94, of the Laws of 1929; and Section 1, Chapter 80 of the Laws of 1931, as amended by Chapter 24, 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.

W. J. KNUTZEN, *Chairman.*

We concur in this report: W. G. Ronald, John H. Ferryman, C. F. Stinson, Geo. F. McAulay.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

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 the regulation and control of the use of waters within the state and the rights and use thereof and amending Section 7391a of Remington's Revised Statutes (Section 7241a 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.

W. J. KNUTZEN, *Chairman*.

We concur in this report: W. G. Ronald, John H. Ferryman, C. F. Stinson, Geo. F. McAulay.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate Bill No. 182, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the State Fair Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 183, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Charitable Educational Penal and Reformatory Institution 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, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 184, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the University 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, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 185, entitled: "An Act transferring certain moneys in, and to be paid into the permanent Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 190, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Shoreland Improvement Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 192, entitled: "An Act transferring certain moneys in the Lateral Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 193, entitled: "An Act transferring certain moneys 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 that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 194, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 195, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Scientific School 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, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 198, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 200, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Agricultural 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, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate Bill No. 222, entitled: "An Act relating to election of precinct committeemen and precinct committeewomen and amending Section 1 of Chapter 158 of the Laws of the Extraordinary Session of 1925 as amended by Section 1 of Chapter 200 of the Laws of 1927, being Section 5198 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 not pass.

H. I. KYLE, *Chairman.*

We concur in this report: P. Frank Morrow, Joseph Drumheller, J. A. Murphy, H. L. Nelson, Fred S. Duggan.

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

The Committee on Appropriations recommended that Senate Bill No. 201 do pass as amended.

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

The Committee on Appropriations recommended that Senate Bill No. 204 do pass as amended.

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

The Committee on Appropriations recommended that Senate Bill No. 191 do pass as amended.

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

The Committee on Appropriations recommended that Senate Bill No. 189 do pass as amended.

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

The Committee on Appropriations recommended that Senate Bill No. 188 do pass as amended.

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

The Committee on Appropriations recommended that Senate Bill No. 186 do pass as amended.

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

A majority of the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Senate Bill No. 231 do pass.

A minority of the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Senate Bill No. 231 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 15, 1935.

*To the Honorable Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I have the honor to transmit the accompanying telegram, which was received Thursday, February 14, 1935, from Mr. T. J. Edmunds, Regional Field Representative

of the Federal Emergency Relief Administration, with the request that it be conveyed to the Senate.

Respectfully yours,

CLARENCE D. MARTIN, *Governor.*

The Secretary read:

(Western Union GOVT DL)  
 PORTLAND ORG 14 1244P  
 Received at Olympia FEB 14 PM 1 37

Governor Clarence Martin

Please convey following information to Senate stop We must insist that investigation WERA be expedited stop We will not be a party to any delay stop Neither can we consent to any sequestration of facts or evidence stop We request that they be made available to our regional auditors stop We request that our offers of cooperation and service be accepted promptly or that the committee make a report containing definite recommendations supported by data within reasonable minimum of time stop We request that committee make known the stenographic notes of our suggestions made at last weeks conference so that it may be understood that this wire is merely confirmation of our original position T. J. EDMONDS.

#### MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
 OLYMPIA, February 15, 1935.

*To the Honorable Senate and House of Representatives of the State of Washington.*  
 LADIES AND GENTLEMEN:

I have the honor to transmit House Joint Memorial No. 2 of the Legislature of the State of Idaho, addressed to the Legislature of the State of Washington.

Respectfully yours,

CLARENCE D. MARTIN, *Governor.*

The Secretary read House Joint Memorial No. 2 of the Legislature of the State of Idaho, and it was referred to the Committee on Memorials.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 243**, by Senator Murfin, entitled: "An Act relating to the regulation by the Department of Public Works of the rates, charges and practices of municipal corporations engaged in business as public service companies, and repealing Section 105, Chapter 117, Laws of 1911 (Section 10454 of Remington's Compiled 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, ordered printed and referred to the Committee on Public Utilities.

**Senate Bill No. 244**, by Senator Miller, entitled: "An Act relating to port districts and amending Section 9692 of Remington's Revised Statutes."

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

**Senate Bill No. 245**, by Senator Farquharson, entitled: "An Act providing for the state of Washington to grant life insurance and annuities to residents upon the payment of premiums, for the establishment of a "life fund" without liability on the part of the state beyond the fund for payments of premiums, providing for its administration under the supervision of the insurance commissioner, and providing for 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, ordered printed and referred to the Committee on Insurance.

**Senate Bill No. 246**, by Senators McMillan, Maxwell, Kyle, Keller, Dailey, Miller, Gannon, Roland and Norman, 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."

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. 247**, by Senator Miller, entitled: "An Act prohibiting savings and loan associations from paying directors any compensation for services when not paying dividends, and amending Section 16, Chapter 183, Session Laws, 1933."

The bill was read the first time, and on motion of Senator Miller, 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. 248**, by Senators Barnes and Norman, entitled: "An Act to provide for a bridge across the Columbia Slough from Puget Island in the Columbia River to Cathlamet, Wahkiakum County, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Norman, 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. 249**, by Committee on Rules and Joint Rules (by request of State Liquor Board), entitled: "An Act relating to crimes and punishments, and more particularly to the sale of under aged liquor, and repealing Sections 443 and 444 of Chapter 249 of the Laws of 1909, the same being Sections 2695 and 2696, respectively, 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 Steele, 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. 250**, by Committee on Rules and Joint Rules (by request of State Liquor Board), entitled: "An Act prohibiting the sale of intoxicating liquors within prescribed limits of state educational institutions, and repealing Sections 1 and 2 of Chapter 98 of the Laws of 1903, as amended by Sections 1 and 2 of Sub-chapter 21 of Chapter 97 of the Laws of 1909, the same being Sections 5102 and 5103, respectively, of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Peirce, 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. 251**, by Committee on Rules and Joint Rules (by request of State Liquor Board), entitled: "An Act relating to the state militia, providing for organization, regulation, maintenance and discipline of the National Guard of Washington, and amending Section 62 of Chapter 134 of the Laws of 1909, the same being Section 8508 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 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. 252**, by Committee on Rules and Joint Rules (by request of State Finance Committee), entitled: "An Act relating to the investment of funds of the Accident Fund and the Reserve Fund created by the Workmen's Compensation Act of the State of Washington."

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. 253**, by Committee on Rules and Joint Rules (by request of State Finance Committee), entitled: "An Act relating to investment of current funds of the state of Washington by the state finance committee."

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 Appropriations.

**Senate Bill No. 254**, by Committee on Rules and Joint Rules (by executive request), entitled: "An Act providing for a loan from the general fund to the capitol building construction fund, providing for the repayment of the same, making appropriations, and declaring that this act shall take effect on April 15, 1935."

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 Appropriations.

**Senate Bill No. 255**, by Committee on Rules and Joint Rules (by request of Commissioner of Public Lands), entitled: "An Act relating to state lands and areas belonging to or held in trust by the state, providing for and regulating the granting of permits, leases and certain preference rights to take petroleum and natural gas, defining the powers and duties of certain officers in connection therewith and repealing Sections 175 to 185 both inclusive, or Chapter 255, Laws of 1927."

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 Granted, School and Tide Lands.

**Senate Bill No. 256**, by Committee on Rules and Joint Rules (by request of State Department of Fisheries), entitled: "An Act relating to fish and game and to concurrent jurisdiction of the states of Washington and Idaho over the Snake River where the same forms a boundary between Idaho and Washington for the purpose of enforcement of fish and game laws; prohibiting violation of the laws of such states and prescribing penalties."

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 Game and Game Fish.

**Senate Bill No. 257**, by Senators Steele, Murphy (James A.) and Tewksbury, entitled: "An Act to encourage State and national industrial recovery by cooperating with the national government in fostering fair competition, to establish standards of fair competition in trade and industry, providing penalties for violations of this act, declaring an emergency and repealing Chapter 50, Laws of Extraordinary Session, 1933."

The bill was read the first time, and on motion of Senator Steele, 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. 214**, by Representative Emory, entitled: "An Act regulating the business of safe deposit companies, defining certain terms, fixing the liability of such companies, providing certain remedies for the enforcement of the liabilities of depositors, renters and lessees of safes, vaults and other receptacles, and for the disposal of the properties therein in case of default, amending Section 4 of Chapter 186, Laws of 1923 (being Section 3385, Remington's Revised Statutes of Washington.)"

The bill was read the first time, and on motion of Senator Steele, the rules were suspended; the bill was read the second time by title, and referred to the Committee on Financial Institutions Other than Banks.

#### GENERAL FILE.

**Senate Bill No. 78**, by Senator McAulay, entitled: "An Act relating to garnishments and the exemption therefrom of salaries of elective public officers, and of wages or salaries for personal services; and amending Section 23 of Chapter LVI (56) of the Laws of 1893 as amended by Section 1 of Chapter 139 of the Laws of 1901 as amended by Section 1 of Chapter 210 of the Laws of 1907 as amended by Section 1 of Chapter 287 of the Laws of 1933, being Section 703 of Remington's Revised Statutes, and declaring that this act shall take effect immediately," was read the third time.

Senator Thomas moved the adoption of the following amendment:

In line 6 of printed bill, delete the word "elective" and after "public officers" add the following: "and employes"; change title of act, on first line delete the word "elective" and add after "public officers" the words "and employes."

Senators McAulay, Murphy (Kebel), Thomas, Shorett, Ryan (J. H.), Miller, Murfin and Morrow demanded a roll call on the motion by Senator Thomas.

A roll call was ordered.

The Secretary called the roll on the adoption of the amendment by Senator Thomas and it lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Miller, Morrow, Murphy (Kebel), Roland, Ryan (J. H.), Ryan (Scott M.), Stinson, Thomas—14.

Those voting nay were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Shorett, Smith, Steele, Tewksbury, Thein, Todd—29.

Absent or not voting: Senators Barnes, Maxwell, Worum—3.

Senator Roland moved the adoption of the following amendment:

Strike the period after "garnishment" and add the following: "during the Session of the Legislature."

Senator Morrow moved that the rules be suspended and that the amendment by Senator Roland be laid on the table without taking the bill with it.

The motion by Senator Morrow lost.

The motion by Senator Roland lost.

Senators Peirce, Reardon and Orndorff demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 78, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kyle, Lovejoy, McAulay, McMillan, Mehner, Murfin, Murphy (James A.), Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Tewksbury, Thein, Todd—24.

Those voting nay were: Senators Bengtson, Brunton, Dawson, Farquharson, Kerstetter, Knutzen, Malstrom, Metcalf, Miller, Morrow, Murphy (Kebel), Nelson, Norman, Nugent, Roland, Ryan (Scott M.), Steele, Stinson, Thomas—19.

Absent or not voting: Senators Barnes, Maxwell, Worum—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 Miller entered a protest against the action of the Senate on the passage of Senate Bill No. 78.

Senator Dailey gave notice that at the proper time tomorrow he would move to reconsider the vote by which Senate Bill No. 78 passed the Senate.

**Senate Bill No. 92, by Senator Gannon:**

On motion of Senator Gannon, Senate Bill No. 92 was re-referred to the Committee on Educational Institutions.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 15, 1935.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 13; also  
The House has passed Substitute House Joint Resolution No. 11; also  
Engrossed House Bill No. 17; also  
Engrossed House Bill No. 324; also  
House Bill No. 325; also  
House Bill No. 326; also  
House Bill No. 327; also  
House Bill No. 328; also  
House Bill No. 329; also  
House Bill No. 330; also  
House Bill No. 331; also  
Senate Joint Resolution No. 6; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**Senate Bill No. 137, by Senator Steele, entitled:** "An Act relating to the care of persons suffering from tuberculosis, authorizing the establishment, maintenance and operation of joint county sanatoria for the treatment of such persons, and providing state aid therefor," was read the third time.

Senator Bengtson moved the adoption of the following amendment:

Amend Section No. 1, line 8: Strike word "state" and substitute "county or counties".

The motion by Senator Bengtson lost.

On motion by Senator Kyle, the following amendment was adopted:

Amend Sec. 8, line 11 of the printed bill by striking the words "Non-residents of any county in the group shall not be provided for" and substituting in lieu thereof the words "No person, not a resident of any county in the group shall be provided for".

The Secretary called the roll on the final passage of Senate Bill No. 137, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—39.

Those voting nay were: Senator Ryan (J. H.)—1.

Absent or not voting: Senators Barnes, Ferryman, Lovejoy, Maxwell, Murfin, Worum—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 12:25 o'clock p. m. on motion of Senator Duggan, the Senate adjourned until 11:00 o'clock a. m. Monday.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## THIRTY-SIXTH DAY

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### MORNING SESSION.

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SENATE CHAMBER,

OLYMPIA, WASH., Monday, February 18, 1935.

The Senate was called to order at 11:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

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

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

On motion of Senator Murfin, Senator McAulay was excused.

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

The Secretary read:

#### SENATE RESOLUTION.

By Senators Gannon, Kerstetter, Keller, Kyle, Shorett and Ryan (J. H.):

WHEREAS, Particularly at the present time when it is essential that every encouragement be given to local industry in the State of Washington, to the end that unemployment be lessened, and the return of prosperity be hastened; and

WHEREAS, Because of the recent legalizing of the manufacture and sale of liquors, wines, and alcoholic beverages, a new industry is in the making; and

WHEREAS, It is highly desirable to lend every encouragement to the stimulation of the new local industry rendered possible by the recent legalizing of manufacture and sale of liquors, wines, and alcoholic beverages; and

WHEREAS, The Washington State Liquor Control Board has a complete monopoly of the purchasing and sale of liquors, wines, and alcoholic beverages, in the State of Washington, and therefore is the only agency that can in any way encourage the manufacture or processing of liquors, wines, and alcoholic beverages in the State of Washington; and

WHEREAS, It is particularly desirable because of economic conditions, at this time, to increase the sources of taxation and revenue for State governmental purposes through the increased stimulation of manufacture and sale of local products; and

WHEREAS, No tax accrues to the State of Washington on any merchandise purchased by the Washington State Liquor Control Board outside the state.

*Therefore, Be It Resolved* by the Senate of the State of Washington that the Washington State Liquor Control Board be urgently requested and directed to give preference to any persons, associations, or corporations manufacturing, distilling or processing liquors, wines, or alcoholic beverages within the State of Washington.

*Therefore, Be It Further Resolved*, by the Senate of the State of Washington, that the Washington State Liquor Control Board be urgently requested and directed in their purchases of liquors, wines, or alcoholic beverages, to give preference to those liquors, wines, or alcoholic beverages produced, manufactured, distilled or processed in the State of Washington; and

*Therefore, Be It Further Resolved*, by the Senate of the State of Washington, that the Washington State Liquor Control Board be urgently requested and directed to give preference on the shelves of the State Liquor stores to products so manufactured, distilled, or processed in the State of Washington.

On motion of Senator Ryan (J. H.), the rules were suspended, the resolution read the second time by title, read the third time and placed on final passage.

On motion of Senator Tewksbury, the following amendment was adopted:

Amend the first paragraph of page 2 of the mimeographed resolution to read as follows:

*"Therefore Be It Resolved*, by the Senate of the State of Washington, that the Washington State Liquor Control Board be urgently requested and directed to give preference to any person or persons, associations or corporations, distilling liquors, manufacturing wines or other alcoholic beverages, who reside in the State of Washington, and who use the products raised in the State of Washington in the manufacture of such liquors, wines or other alcoholic beverages."

Senator Duggan moved the adoption of the following amendment:

Amend paragraphs 1 and 2 of page 2 by inserting at the end of each paragraph: "Provided, such beverages are of equal quality with other beverages and fairly priced."

On motion of Senator Miller, the rules were suspended, and the amendment by Senator Duggan was laid on the table without taking the resolution with it.

Senator Steele moved the adoption of the following amendment:

Amend resolution by adding at the end thereof the following: "*Provided however*; That said local product is of equal quality and has sufficient public demand to make its use practical from a business standpoint."

On motion of Senator Kyle, the rules were suspended, and the amendment by Senator Steele was laid on the table without taking the resolution with it.

On motion of Senator Ryan (J. H.), the resolution as amended was adopted.

The Secretary read:

**SENATE RESOLUTION.**

By Senator Peirce:

WHEREAS, The House, by a vote of 83 yeas to 10 nays, has passed and transmitted to the Senate, Substitute Engrossed House Bill No. 55, known as the Gasoline Bill, which is now pending before the Public Utilities Committee of the Senate; and,

WHEREAS, The several members of the Senate are daily receiving from ten to two hundred letters against said Bill, which letters and telegrams are so prepared, worded and mailed as to make it doubtful if they are the free and voluntary act of the persons who purport to have signed them; and,

WHEREAS, It is charged that some of the said communications are forgeries; that many others were obtained by threats and coercion, and that but few of the thousands of letters and telegrams, that are bombarding the Senate against the Gasoline Bill, are the genuine expressions of those who purport to have signed them; and

WHEREAS, Such practices would deceive the Legislature, confuse and obstruct the orderly operation of the government and constitute a direct contempt of this Senate; now,

*Therefore Be It Resolved*, That the President of the Senate appoint a Committee of three Senators to investigate forthwith the matters and things above set forth and determine the source and genuineness of the said letters and telegrams, and whether or not a contempt of this Senate has been, or is being committed, and

*Be It Further Resolved*, That said Committee be, and hereby is empowered to administer oaths, subpoena witnesses, papers and records, to determine the time and place, and hold hearings, to order the arrest of any person it finds guilty of such contempt and cause such person to be brought before the Bar of the Senate for such punishment as it may determine, and to do all other things necessary to carry out the purpose of this Resolution; and,

*Be It Further Resolved*, That the expenses of the said Committee and investigation be paid out of any appropriation made for the Legislature, upon vouchers signed by the Chairman of said Committee.

Senator Peirce moved the adoption of the resolution.

Senator Ferryman moved the adoption of the following amendment:

Amend the resolution by striking all of the last paragraph pertaining to an appropriation of expense funds.

Senator Peirce moved that the rules be suspended and that the amendment by Senator Ferryman be laid on the table without taking the resolution with it.

The motion by Senator Peirce lost.

Senators Kyle, Peirce, Farquharson, Murphy (Kebel), Shorett, Ryan (J. H.), Miller and Murphy (James A.), demanded a roll call on the motion by Senator Ferryman.

A roll call was ordered.

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

Those voting aye were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—29.

Those voting nay were: Senators Dailey, Farquharson, Kerstetter, Kyle, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury—15.

Absent or not voting: Senators Barnes, McAulay—2.

On motion of Senator Miller, the resolution as amended was laid on the table.

The Secretary read:

**Substitute House Joint Resolution No. 11**, by Committee on Rules and Order: "Creating a Joint Committee to make an investigation and Audit of the Washington Emergency Relief Administration and giving said Committee certain powers."

The resolution was read the first time, and on motion of Senator Peirce, the rules were suspended, the resolution was read the second time by title, and referred to the Committee on Public Welfare and Unemployment Relief.

**House Concurrent Resolution No. 13**, by Representative Holt: "Relating to Senate Concurrent Resolution No. 2."

On motion of Senator Miller, consideration of House Concurrent Resolution No. 13 was deferred until tomorrow.

The Secretary read:

**REPORT OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 15, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 137, entitled: "An Act relating to the care of persons suffering from tuberculosis, authorizing the establishment, maintenance and operation of joint county sanatoria for the treatment of such persons, and providing state aid therefor," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, Paul Mehner.

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

The Secretary read:

**REPORT OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 15, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Joint Resolution No. 6: "Providing for the petitioning of Congress of the United States to repeal certain acts pertaining to mail contracts in the aeronautical service," have compared same with the Engrossed Resolution and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 16, 1935.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate Bill No. 155, entitled: "An Act declaring the existence of a state and national agricultural emergency; declaring the policy of the legislature; providing for the regulation and control of the production, storage, transportation, advertising, merchandising, sale and distribution of agricultural commodities; approving and adopting the provisions of the National Agricultural Adjustment Act and any marketing agreement or license approved or prescribed by the Secretary of Agriculture of the United States; defining marketing agreements; regulating the purchase of agricultural commodities by

the state or its subdivisions; establishing standards of fair competition; empowering the Director of Agriculture, with the approval of the Governor, to adopt or prescribe marketing agreements, to make rules and regulations to control the production, storage, transportation, advertising, merchandising, sale and distribution of agricultural commodities, and to issue, suspend or revoke licenses licensing persons handling or processing agricultural products; designating the persons entitled to licenses; granting jurisdiction to courts for the enforcement of this act and marketing agreements approved or prescribed hereunder; making it unlawful for any person to engage in handling, retailing, processing or wholesaling agricultural products without a license; fixing license fees; making an appropriation for the administration of this act; defining agricultural commodities; 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. 155 be substituted therefor and that it do pass.

DAVID E. McMILLAN, *Chairman*.

We concur in this report: J. D. Bengtson, W. J. Knutzen, Kebel Murphy, Ed. Peirce, Joseph Drumheller.

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

SENATE CHAMBER.

OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Senate Bill No. 87, entitled: "An Act relating to intoxicating liquor, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds, and amending Sections 23, 27, 30, 33, 37, 52, 55, 62, 69, 70, 71, 72, 90, 92, and 93 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Sections 7306-23, 7306-27, 7306-30, 7306-33, 7306-37, 7306-52, 7306-55, 7306-62, 7306-69, 7306-70, 7306-71, 7306-72, 7306-90, 7306-92, and 7306-93 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 Substitute Senate Bill No. 87, entitled: "An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds, and amending Sections 16, 23, 27, 30, 33, 37, 52, 55, 62, 69, 70, 71, 72, 90, 92, and 93 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Sections 7306-16, 7306-23, 7306-27, 7306-30, 7306-33, 7306-37, 7306-52, 7306-55, 7306-62, 7306-69, 7306-70, 7306-71, 7306-72, 7306-90, 7306-92, and 7306-93 of Remington's Revised Statutes," be substituted therefor and that it do pass.

GEO. A. LOVEJOY, *Chairman*.

We concur in this report: J. W. Thein, L. E. Tewksbury, G. B. Kerstetter, Paul Mehner, E. N. Steele, D. O. Nugent, C. Nifty Garrett, J. P. Keller, W. R. Orndorff, S. C. Roland, Chas. H. Todd.

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

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 227 do pass.

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.

A majority of the Committee on Labor and Labor Statistics recommended that Senate Bill No. 80 do pass.

A minority of the Committee on Labor and Labor Statistics recommended that Senate Bill No. 80 do not pass.

The reports of the Committee, together with the bill, were placed on general file.

The Committee on Judiciary recommended that Senate Bill No. 112 do pass as amended.

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

The Committee on Judiciary recommended that Senate Bill No. 47 do pass as amended.

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

The Committee on Banks and Banking recommended that Substitute Senate Bill No. 86 do pass as amended.

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 18, 1935.

MR. PRESIDENT:

The Speaker has signed House Bill No. 118; also

The House has passed House Bill No. 321; also

The Speaker has signed House Joint Memorial No. 3; also

House Bill No. 68; also

House Bill No. 69; also

House Bill No. 86; also

House Bill No. 87, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed Senate Joint Resolution No. 6, House Bill No. 87, House Bill No. 86, House Bill No. 69, House Bill No. 68, also House Joint Memorial No. 3.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 258**, by Senator Reardon, entitled: "An Act for the relief of Dike District No. 5, Snohomish County, Washington and making 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 Reclamation, Irrigation, Dikes, Drains and Ditches.

**Senate Bill No. 259**, by Committee on Mines and Mining, entitled: "An Act relating to right of ways and easements for development of mines and providing a procedure for the acquirement 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 placed on general file.

**Senate Bill No. 260**, by Senators Reardon and Maxwell, entitled: "An Act relating to and establishing a branch of State Road No. 15 on the Stevens Pass Highway; providing for the location, relocation, construction and improvement thereof; 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 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. 261**, by Senators Miller, Morrow, Dailey, Kerstetter, Thomas, Gannon, Ryan (Scott M.), Nugent, Kyle, Maxwell, Garrett, Murphy (Kebel), Malstrom, Ryan (J. H.), Ferryman, Lovejoy, Roland, Murphy (J. A.), Mehner and Ronald, entitled: "An Act abolishing writs of garnishment in the superior courts and justice courts and repealing all sections and parts of sections in relation thereto and in conflict therewith; and declaring an emergency."

The bill was read the first time, and on motion of Senator Miller, 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. 262**, by Senator Miller, entitled: "An Act relating to the practice of public accountancy; providing for the examination and licensing of public accountants in connection therewith; providing for the annual renewal of such licenses; providing for the revocation and suspension of such licenses; providing penalties; and repealing Sections of Remington's Revised Statutes, Section 8266, 8268, 8269, and H. B. No. 23, Chapter 56, Laws Extraordinary Session, 1933."

The bill was read the first time, and on motion of Senator Miller, 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 Senators Murfin and Orndorff, entitled: "An Act to amend Section 11097-52 of Remington's Compiled Statutes 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, ordered printed and referred to the Committee on Revenue and Taxation.

**Senate Bill No. 264**, by Senator Reardon, entitled: "An Act relating to motor vehicles and the license thereof; regulating the transportation of school children and/or students therein; and amending Chapter 98 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 Education.

**Senate Bill No. 265**, by Senators Reardon and Tewksbury, entitled: "An Act for the relief of Elizabeth Raymond, widow of Charles Raymond, who died from wounds received while acting as deputy sheriff in the capture of Harry Tracy, a notorious outlaw."

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

**Engrossed House Bill No. 17**, by Representative Parker, entitled: "An Act relating to the commencement of the term of office of certain officials in Class A Counties and Counties of the First Class, and amending Section 4 of Chapter 61 of the Laws of 1921, page 180."

The bill was read the first time, and on motion of Senator Steele 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. 321**, by Committee on Appropriations (by departmental request), entitled: "An Act making a deficiency appropriation for salaries and wages and operations for the Commissioner of Public Lands 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 on Appropriations.

**Engrossed House Bill No. 324**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the selection, control, management, sale, lease and disposition of lands, waterways, reserves, mineral rights and areas belonging to or held in trust by the state and repealing certain acts relating thereto which are superseded by the Public Lands Act of 1927, being Chapter 255 of the Session Laws of 1927."

The bill was read the first time, and on motion of Senator Thein 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. 325**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the appraisal of state lands, tide or shore lands belonging to the state, materials thereon or on beds of navigable waters belonging to the state, amending Chapter 255 of the Laws of 1927, and repealing certain acts relating thereto."

The bill was read the first time, and on motion of Senator Thein 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. 326**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act making the tide lands along the shore and beach of the Pacific Ocean in Jefferson and Clallam Counties a public highway, and declaring an emergency."

The bill was read the first time, and on motion of Senator Thein 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. 327**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the management, sale, lease and disposition of state lands and amending Section 23, Chapter 255, Session Laws of 1927."

The bill was read the first time, and on motion of Senator Thein 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. 328**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the sale of a tract of state land for cemetery purposes."

The bill was read the first time, and on motion of Senator Thein 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. 329**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the dispo-

sition of improvements on state lands and amending Section 34, Chapter 255, Session Laws of 1927."

The bill was read the first time, and on motion of Senator Thein 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. 330**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the acquirement of lands for rights of way and drainage of and unobstructed vision for state highways and for the purpose of securing sand pits, gravel pits, borrow pits, stone quarries and maintenance camp sites, and rights of way to gain access thereto, and the payment for timber from state lands, amending Section 1, Chapter 160, Laws of the Extraordinary Session of 1925."

The bill was read the first time, and on motion of Senator Thein 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. 331**, by Committee on Forestry and Logged-Off Lands, entitled: "An Act expressing the consent of the Legislature of the State of Washington the acquisition of lands in the state under the provisions of the act of Congress entitled 'An act to enable any state to cooperate with any other state or states, or with the United States, for the protection of the watersheds of navigable streams and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers,' approved March 1, 1911, as amended."

The bill was read the first time, and on motion of Senator Bengtson the rules were suspended, the bill was read the second time by title, and referred to the Committee on Forestry and Logged Off Lands.

**Substitute Senate Bill No. 87**, by Committee on Liquor Control, entitled: "An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds, and amending Sections 16, 23, 27, 30, 33, 37, 52, 55, 62, 69, 70, 71, 72, 90, 92, and 93 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Sections 7306-16, 7306-23, 7306-27, 7306-30, 7306-33, 7306-37, 7306-52, 7306-55, 7306-62, 7306-69, 7306-70, 7306-71, 7306-72, 7306-90, 7306-92, and 7306-93 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 placed on general file.

**Substitute Senate Bill No. 155**, by Committee on Agriculture, entitled: "An Act declaring the existence of a state and national agricultural emergency; declaring the policy of the legislature; providing for the regulation and control of the production, storage, transportation, industrial advertising, merchandising, price and distribution of agricultural commodities; approving and adopting the provisions of the National Agricultural Adjustment Act and any marketing agreement or license approved or prescribed by the Secretary of Agriculture of the United States; defining marketing agreements; regulating the purchase of agricultural commodities by the state or its subdivisions; establishing standards of fair competition; empowering the Director of Agriculture, with the approval of the Governor, to adopt or pre-

scribe marketing agreements, to make rules and regulations to control the production, storage, transportation, industrial advertising, merchandising, sale and distribution of agricultural commodities, and to issue, suspend or revoke licenses licensing persons handling or processing agricultural products; designating the persons entitled to licenses; granting jurisdiction to courts for the enforcement of this act and marketing agreements approved or prescribed hereunder; making it unlawful for any person to engage in handling, retailing, processing or wholesaling agricultural products without a license; fixing license fees; making an appropriation for the administration of this act; defining agricultural commodities; 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.

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider the House amendment to Senate Bill No. 91.

#### SPECIAL ORDER.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 91 with the following amendment: "In Section 2, line 12 of the engrossed bill, same being line 9 of the printed bill, strike the figures '\$100,000.00' and insert in lieu thereof the figures '\$500,000.00'," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Lovejoy moved that the Senate concur in the House amendment to Senate Bill No. 91.

The motion carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 91 as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Duggan, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Tewksbury, Thein, Todd, Worum—32.

Those voting nay were: Senators Dailey, Ferryman, Murphy (Kebel), Nelson, Ryan (Scott M.), Thomas—6.

Absent or not voting: Senators Barnes, Drumheller, Farquharson, Maxwell, McAulay, Peirce, Reardon, 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.

At 12:27 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.*

HARRISON W. MASON, *Secretary of the Senate.*

## THIRTY-SEVENTH DAY

### MORNING SESSION

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, February 19, 1935.

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

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

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

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

The Secretary read a resolution from the City Council of Seattle.

On motion of Senator Murphy (Kebel), the resolution was referred to the Committee on Public Utilities.

The Secretary read:

**House Concurrent Resolution No. 13**, by Representative Holt: "Relating to Senate Concurrent Resolution No. 2."

On motion of Senator Reardon, the resolution was read the second time by title, read the third time and placed on final passage.

On motion of Senator Reardon, House Concurrent Resolution No. 13 was adopted.

The Secretary read:

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 91, entitled: "An Act relating to intoxicating liquors, providing for the disposition of public funds, repealing Section 76 and amending Section 77 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington (Sections 7306-76 and 77, Remington's Revised Statutes), and declaring that this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff the report of the committee was received.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Compensation and Fees for State and County Officers, to whom was referred Senate Bill No. 19, entitled: "An Act relating to the creation of a fund in Class A counties and counties of the first class for the payment of the

salaries and wages of county officers and employees, and providing for the payment and transfer of money to and from said fund, and amending Section 1 of Chapter 14 of the Session Laws of the Extraordinary Session of 1933, 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.

EDMUND J. MILLER, *Chairman.*

We concur in this report: John H. Ferryman, J. D. Bengtson, J. A. Murphy, W. G. Ronald.

On motion of Senator Miller the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 252, entitled: "An Act relating to the investment of funds of the Accident Fund and the Reserve Fund created by the Workmen's Compensation Act 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.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Geo. A. Lovejoy, Chas. H. Todd, D. O. Nugent, E. L. Brunton, Scott M. Ryan, W. C. Dawson, G. B. Kerstetter, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 253, entitled: "An Act relating to the investment of current funds of the State of Washington by the state finance committee," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: E. L. Brunton, W. C. Dawson, Geo. A. Lovejoy, Chas. H. Todd, Scott M. Ryan, G. B. Kerstetter, J. A. Murphy, D. O. Nugent.

On motion of Senator Ferryman the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 109, entitled: "An Act authorizing and directing a conveyance by quit-claim deed in behalf of the State of Washington to the Estate of J. H. Payne, deceased, 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.

E. N. STEELE, *Chairman.*

We concur in this report: John F. Worum, Ed. Peirce, Geo. F. McAulay, Judson W. Shorett, H. I. Kyle, Fred S. Duggan, Chas. H. Todd, A. M. Murfin, C. F. Stinson, J. A. Murphy.

On motion of Senator Steele the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 110, entitled: "An Act authorizing and directing a conveyance of quit-claim 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.

E. N. STEELE, *Chairman*.

We concur in this report: John F. Worum, Ed. Peirce, Geo. F. McAulay, Judson W. Shorett, H. I. Kyle, Fred S. Duggan, Chas. H. Todd, A. M. Murfin, C. F. Stinson, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 111, entitled: "An Act authorizing and directing a conveyance by quit-claim deed in behalf of the State of Washington to Olive Sunde and Ruby Christenson 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.

E. N. STEELE, *Chairman*.

We concur in this report: John F. Worum, Ed. Peirce, Geo. F. McAulay, Judson W. Shorett, H. I. Kyle, Fred S. Duggan, Chas. H. Todd, A. M. Murfin, C. F. Stinson, J. A. Murphy.

On motion of Senator Steele the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 112, 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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman*.

We concur in this report: John F. Worum, Ed. Peirce, Geo. F. McAulay, Judson W. Shorett, H. I. Kyle, Fred S. Duggan, Chas. H. Todd, A. M. Murfin, C. F. Stinson, J. A. Murphy.

On motion of Senator Steele the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 113, 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," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman*.

We concur in this report: John F. Worum, Ed. Peirce, Geo. F. McAulay, Judson W. Shorett, H. I. Kyle, Fred S. Duggan, Chas. H. Todd, A. M. Murfin, C. F. Stinson, J. A. Murphy.

On motion of Senator Steele the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Engrossed House Bill No. 324, entitled: "An Act relating to the selection, control, management, sale, lease and disposition of lands, waterways, reserves, mineral

rights and areas belonging to or held in trust by the state and repealing certain acts relating thereto which are superseded by the Public Lands Act of 1927, being Chapter 255 of the 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.

J. W. THEIN, *Chairman.*

We concur in this report: J. D. Bengtson, Edmund J. Miller, James Dailey, Geo. F. McAulay.

On motion of Senator Thein the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 325, entitled: "An Act relating to the appraisal of state lands, tide or shore lands belonging to the state, materials thereon or on beds of navigable waters belonging to the state, amending Chapter 255 of the Laws of 1927, and repealing certain acts relating thereto," 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. THEIN, *Chairman.*

We concur in this report: J. D. Bengtson, Edmund J. Miller, James Dailey, Geo. F. McAulay.

On motion of Senator Thein the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 326, entitled: "An Act making the tide lands along the shore and beach of the Pacific Ocean in Jefferson and Clallam Counties a public highway, 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. THEIN, *Chairman.*

We concur in this report: J. D. Bengtson, Edmund J. Miller, James Dailey, Geo. F. McAulay.

On motion of Senator Thein the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 327, entitled: "An Act relating to the management, sale, lease and disposition of state lands and amending Section 23, Chapter 255, 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.

J. W. THEIN, *Chairman.*

We concur in this report: J. D. Bengtson, Edmund J. Miller, James Dailey.

On motion of Senator Thein the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 328, entitled: "An Act relating to the sale of a tract of state

land for cemetery purposes," 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. THEIN, *Chairman*.

We concur in this report: J. D. Bengtson, Edmund J. Miller, James Dailey, Geo. F. McAulay.

On motion of Senator Thein the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 329, entitled: "An Act relating to the disposition of improvements on state lands and amending Section 34, Chapter 255, 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.

J. W. THEIN, *Chairman*.

We concur in this report: J. D. Bengtson, Edmund J. Miller, James Dailey, Geo. F. McAulay.

On motion of Senator Thein the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 330, entitled: "An Act relating to the acquirement of lands for rights of way and drainage of and unobstructed vision for state highways and for the purpose of securing sand pits, gravel pits, borrow pits, stone quarries and maintenance camp sites, and rights of way to gain access thereto, and the payment for timber from state lands, amending Section 1, Chapter 160, 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.

J. W. THEIN, *Chairman*.

We concur in this report: J. D. Bengtson, Edmund J. Miller, James Dailey, Geo. F. McAulay.

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

A majority of the Committee on Judiciary recommended that Senate Bill No. 147 do pass.

A minority of the Committee on Judiciary recommended that Senate Bill No. 147 do not pass.

The reports of the committee, together with the bill, were placed on general file.

A majority of the Committee on Appropriations recommended that House Bill No. 154 do pass.

A minority of the Committee on Appropriations recommended that House Bill No. 154 do not pass.

The reports of the committee, together with the bill, were placed on general file.

A majority of the Committee on Appropriations recommended that House Bill No. 157 do pass.

A minority of the Committee on Appropriations recommended that House Bill No. 157 do not pass.

The reports of the committee, together with the bill were placed on general file.

A majority of the Committee on Judiciary recommended that Engrossed House Bill No. 89 do pass.

A minority of the Committee on Judiciary recommended that Engrossed House Bill No. 89 do not pass.

The reports of the committee, together with the bill, were placed on general file.

A majority of the Committee on Judiciary recommended that Senate Bill No. 166 do pass as amended.

A minority of the Committee on Judiciary recommended that Senate Bill No. 166 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Committee on Judiciary recommended that House Bill No. 192 do pass as amended.

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

The Secretary read:

SENATE CHAMBER,  
OLYMPIA, WASH., February 13, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 124, entitled: "An Act relating to the closing of certain county offices on Saturday afternoons and amending Section 4033, Remington's Compiled Statutes of the State of Washington," 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: Fred Norman, John F. Worum, Geo. F. McAulay.

On motion of Senator Keller the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Joint Memorial No. 18: "Relating to a tunnel through the Cascade Mountains," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Joint Memorial No. 18: "Relating to a tunnel through the Cascade Mountains," be substituted therefor and that it do pass.

RALPH METCALF, *Chairman*.

I concur in this report: Scott M. Ryan.

On motion of Senator Metcalf the report of the committee was received and the bill was placed on general file.

The Secretary read:

#### MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 18, 1935.

*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. 33: "An Act changing the name of the Department of Public Works to the Department of Public Service and providing that all the powers

and duties now exercised by the director and officers of the Department of Public Works be exercised by the director and officers of the Department of Public Service."

Very truly yours,

RICHARD HAMILTON, *Secretary to the Governor.*

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Joint Resolution No. 6; also  
The House has passed Senate Bill No. 56; also  
House Bill No. 2; also  
House Bill No. 22; also  
Engrossed House Bill No. 108; also  
House Bill No. 231; also  
Engrossed House Bill No. 5; also  
House Bill No. 308; also  
Engrossed House Bill No. 370; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 10 with the following amendments:

In Section 7 of the Engrossed Bill, strike the Roman numerals "CXVIII" and the figures "(118)," and insert in lieu thereof the Roman numerals "CXLVIII" and the figures "(148)."

In the twelfth line of the title, strike the Roman numerals "CXVIII" and the figures "(118)," and insert in lieu thereof the Roman numerals "CXLVIII" and the figures "(148)," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Miller, the Senate concurred in the House amendments to Engrossed Senate Bill No. 10.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 10, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumbheller, Duggan, Farquharson, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—39.

Absent or not voting: Senators Barnes, Ferryman, Garrett, Maxwell, Nugent, Smith, Steele—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.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 266**, by Senators Ronald and Smith, entitled: "An Act relating to the department of conservation and development of the State of Washington, providing for disposition of moneys received by the State of Washington from certain fees, providing that the same be paid into the state

reclamation revolving fund and amending Section 3 of Chapter 105, Laws of 1929, same being Section 11575-3 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Ronald 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. 267**, by Senators Dailey, Bengtson, Roland and Murfin, entitled: "An Act relating to mines and mining and the organization and administration of the state government, providing for the appointment of certain officers and defining their powers and duties."

The bill was read the first time, and on motion of Senator Dailey 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. 268**, by Senators Dailey, Bengtson, Roland and Murfin, entitled "An Act relating to the organization and administration of the state government, providing for the regulation and supervision of petroleum and natural gas, defining the powers and duties of certain officers, prohibiting certain acts, and providing penalties for the violation thereof."

The bill was read the first time, and on motion of Senator Dailey 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. 269**, by Senator Ryan (Scott M.), entitled: "An Act permitting the board of county commissioners to lease and to improve county owned land acquired for taxes."

The bill was read the first time, and on motion of Senator Ryan (Scott M.) 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. 270**, by Senators Shorett, Tewksbury, Dailey, Murphy (J. A.) and Morrow, entitled: "An Act relating to Water Districts, providing for the establishment and maintenance of Local Improvement Guaranty Funds, to be derived from a percentage of the gross revenues of the water supply system of the District, 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. 271**, by Senator Thomas, entitled: "An Act relating to the savings and loan association act and amending Sections 13, 29, 68 and 70 of Chapter 183, Session Laws 1933, as amended by Section 1, Chapter 43, Laws Extraordinary Session 1933, and adding a new section to be known as Section 67A."

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 Financial Institutions Other Than Banks.

**Senate Bill No. 272**, by Senator Maxwell, entitled: "An Act relating to motor vehicles and providing for the use of safety glass thereon, and fixing a penalty for any violation thereof."

The bill was read the first time, and on motion of Senator Ryan (J. H.) 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. 273**, by Senators Maxwell and Kyle, entitled: "An Act regulating the sale, transfer and possession of certain firearms, prescribing penalties and rules of evidence, and to make uniform the law with reference thereto."

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. 274**, by Senator Murfin, entitled: "An Act relating to taxing districts, as defined in Chapter IX of the Act of Congress entitled 'An Act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, and to assessments or taxes levied or to be levied upon lands therein, enabling such districts to obtain the relief provided in said Chapter IX, validating petitions and proceedings under or in contemplation of proceedings under said Chapter IX, 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, ordered printed and referred to the Committee on Judiciary.

**Engrossed House Bill No. 5**, by Representative McDonald (D. A.), entitled: "An Act relating to the practice of chiropody, defining 'Chiropodist' and providing for the suspension and renewal of certificates to practice chiropody, extending the right to practice to practitioners of other states, amending Sections 1, 4, 6 and 10 of Chapter 38 of the Laws of 1917, and Section 10 of Chapter 120 of the Laws of 1921."

The bill was read the first time, and on motion of Senator Nugent 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. 308**, by Representative Yantis, entitled: "An Act appropriating the sum of twenty-five hundred dollars, or so much thereof, as may be necessary, for the temporary publication of Session Laws of the Twenty-fourth Session of the Washington State Legislature and declaring an emergency."

On motion of Senator Miller, the rules were suspended, the bill read the second time by title, read the third time and placed on final passage.

On motion of Senator Miller, the Senate resolved itself into a committee of the whole to consider House Bill No. 308.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Peirce, 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. 308 and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Duggan, Farquharson, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.),

Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—36.

Those voting nay were: Senators Dawson, Garrett, Ryan (Scott M.), Tewksbury—4.

Absent or not voting: Senators Barnes, Drumheller, Ferryman, Maxwell, McAulay, Orndorff—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. 370**, by Representatives Edwards, Neff, Keith, and Smith (T. E.), entitled: "An Act relating to Washington Emergency Relief Administration and making an appropriation, and creating 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 on Appropriations.

#### GENERAL FILE.

Senator Reardon moved that the Senate begin consideration of today's calendar with Senate Bill No. 227 and that the preceding memorials and bill be placed on tomorrow's calendar.

Senator Miller moved that the Senate take up consideration of Senate Bill No. 77.

Senator Todd moved that the motion by Senator Miller be laid on the table.

The motion by Senator Todd carried.

The motion by Senator Reardon lost.

**Senate Joint Memorial No. 13**, by Senator Mehner, entitled: "An Act relating to an appropriation for federal and state hospitals," was read the third time.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 13, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—38.

Absent or not voting: Senators Barnes, Ferryman, Knutzen, Lovejoy, Maxwell, Norman, Peirce, Ryan (Scott M.)—8.

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

On motion of Senator Mehner, the rules were suspended and the memorial was ordered immediately transmitted to the House.

Senator Reardon moved that Senate Joint Memorial No. 15 be placed on tomorrow's calendar.

Senator Peirce moved that the motion by Senator Reardon be laid on the table.

The motion by Senator Peirce carried.

**Senate Joint Memorial No. 15**, by Senator Maxwell: "Asking Congress for relief to owners of residential property," was read the third time.

Senators Ryan (J. H.), Murphy (Kebel), and Peirce demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 15 and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—37.

Those voting nay were: Senator Morrow—1.

Absent or not voting: Senators Barnes, Brunton, Ferryman, Knutzen, Lovejoy, Norman, Smith, Stinson—8.

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

On motion of Senator Ryan (J. H.), the rules were suspended and the memorial was ordered immediately transmitted to the House.

Senators Ryan (J. H.), Tewksbury and Miller demanded a call of the Senate.

A call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senator Barnes, who was excused.

The Sergeant-at-Arms locked the doors of the Senate.

On motion of Senator Tewksbury, the Senate proceeded under the call of the Senate.

**Senate Joint Memorial No. 17**, by Senator Bengtson: "Petitioning the Federal Government to appropriate \$125,000 for the construction of a bridge over the Portage Canal to connect Marrowstone Island with the mainland," was read the third time.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 17, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—43.

Those voting nay were: Senators Kerstetter, Morrow—2.

Absent or not voting: Senator Barnes—1.

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

The Seattle Boy Scout Troop No. 1 entertained the Senate with a few band selections.

**Senate Bill No. 77:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 7, 1935.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate Bill No. 77, entitled: "An Act relating to and providing for Firemen's Relief and Pension Funds in certain incorporated cities and towns of the state, providing for the maintenance and distribution of such funds and designating the beneficiaries thereof; defining the powers and duties of certain officials, and amending Section 1 of Chapter 196 of the Laws of 1919 and Sections 4, 5, 7, 8, 9, 14, 15, 17, 18 and 19 of said chapter 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 4, line 21, page 4 of the original bill, same being Section 4, line 13, page 3 of the printed bill, as follows: after "(R. R. S. 9565)" insert ", (Pierce 945)."

Amend Section 14, line 27, page 8 of the original bill, same being Section 14, line 26, page 5 of the printed bill, as follows: strike out "fifty-five (55)" and insert "forty-five (45)" in lieu thereof.

Amend Section 8, line 23, page 9 of the original bill, same being Section 15, line 3, page 6 of the printed bill, as follows: strike "a majority" and insert "two-thirds" in lieu thereof.

S. C. ROLAND, *Chairman.*

We concur in this report: Fred S. Duggan, G. B. Kerstetter, J. A. Murphy, Judson W. Shorett, Paul G. Thomas.

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

On motion of Senator Roland, the following committee amendment was adopted:

Amend Section 4, line 21, page 4 of the original bill, same being Section 4, line 13, page 3 of the printed bill, as follows: after "(R. R. S. 9565)" insert ", (Pierce 945)."

On motion of Senator Lovejoy, the following committee amendment was adopted:

Amend Section 14, line 27, page 8 of the original bill, same being Section 14, line 26, page 5 of the printed bill, as follows: strike out "fifty-five (55)" and insert "forty-five (45)" in lieu thereof.

Senator Orndorff moved the adoption of the following amendment:

Amend Section 15, on page 6, line 7, strike "One (1)" and insert "one-half ( $\frac{1}{2}$ )."

Senator Nugent moved that the rules be suspended and that the amendment by Senator Orndorff be laid on the table without taking the bill with it.

The motion by Senator Nugent lost.

Senators Peirce, Ryan (J. H.), Nugent, Lovejoy, Steele, Roland, Morrow and Miller demanded a roll call on the motion by Senator Orndorff.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Orndorff and it lost by the following vote:

Those voting aye were: Senators Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, McAulay, McMillan, Mehner, Murfin, Orndorff, Peirce, Reardon, Smith, Steele, Stinson, Thein, Todd, Worum—21.

Those voting nay were: Senators Bengtson, Dailey, Farquharson, Ferry-

man, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Metcalf, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—24.

Absent or not voting: Senator Barnes—1.

On motion of Senator Nugent, the following committee amendment was adopted:

Amend Section 8, line 23, page 9 of the original bill, same being Section 8, line 3, page 6 of the printed bill, as follows: strike "a majority" and insert "two-thirds" in lieu thereof.

Senator Orndorff moved the adoption of the following amendment:

Amend Section 7, sub-section 14, page 5, line 26, strike "Forty-five (45) per cent of all money received by the state from tax on fire insurance premiums."

The motion by Senator Orndorff lost.

Senator Miller entered a protest against the method of printing bills.

The Secretary called the roll on the final passage of Senate Bill No. 77, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Duggan, Farquharson, Ferryman, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Metcalf, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thein, Thomas, Todd—30.

Those voting nay were: Senators Bengtson, Brunton, Dawson, Drumheller, Gannon, Garrett, McAulay, Mehner, Murfin, Orndorff, Peirce, Reardon, Smith, Steele, Worum—15.

Absent or not voting: Senator Barnes—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 Lovejoy, the rules were suspended, and Senate Bill No. 77 was ordered engrossed and immediately transmitted to the House.

On motion of Senator Tewksbury, the call of the Senate was dispensed with.

At 12:25 o'clock p. m., on motion of Senator Reardon, the Senate recessed until 2:00 o'clock p. m.

#### AFTERNOON SESSION.

The Senate reconvened at 2:00 o'clock p. m., President Meyers in the chair.

#### GENERAL FILE.

**Senate Bill No. 227:**

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., February 14, 1935.

We, a majority of your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 227, entitled: "An Act relating to taxation; providing for exemptions; repealing all acts and parts of acts in conflict therewith and declaring 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.

PAUL MEHNER, *Chairman.*

We concur in this report: H. I. Kyle, James Dailey, Mary U. Farquharson, Paul G. Thomas, W. J. Knutzen, L. E. Tewksbury, A. M. Murfin, W. R. Orndorff.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

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.*

I concur in this report: P. Frank Morrow.

On motion of Senator Mehner, the reports of the committee were received and the bill was read the third time.

Senator Murfin moved the adoption of the following amendment:

Amend line 10 of the printed bill after the first comma, strike the balance of line 10, and strike that portion of line 11, up to and including the comma, and insert the following amendment:

"That if the County Assessor is satisfied that all of the personal property of any person is exempt from taxation under the provisions of this statute or any other statute providing exemptions for personal property, no listing of such property shall be required; but if the personal property described in subdivision (b) of Section 1 of this act exceeds in value the amount allowed as exempt, then a complete list of said personal property shall be made as provided by law."

Senator Morrow moved to amend the amendment by Senator Murfin by the following amendment:

Amend Section No. 1, Sub-section "B," strike all of lines 9 and 10 and that portion of line 11 up to comma, substituting therefor the following:

"That if the County Assessor is satisfied that all of the personal property of any person is exempt from taxation under the provisions of this statute or any other statute providing exemptions for personal property, no listing of such property shall be required; but if the personal property described in subdivision (b) of Section 1 of this act exceeds in value the amount allowed as exempt then a complete list of said personal property shall be made as provided by law."

Line 8, strike the word "actual" and insert the word "assessed."

Senator Murphy (James A.) moved that the amendment by Senator Morrow be laid on the table.

The motion by Senator Murphy (James A.) lost.

The motion by Senator Morrow lost.

The motion by Senator Murfin carried.

On motion of Senator Morrow, the following amendment was adopted:

Amend Section 1, line 8, sub-section (b) of the printed bill, after the word "of" strike "one hundred and fifty" and substitute in lieu thereof "three hundred."

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 Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—39.

Those voting nay were: Senators McAulay, Peirce—2.

Absent or not voting: Senators Barnes, Ferryman, Maxwell, Norman, Steele—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 Mehner, the rules were suspended and the bill was ordered engrossed and immediately transmitted to the House.

**Senate Bill No. 231**, by Senators Ronald and McAulay, entitled: "An Act relating to irrigation and drainage, providing for a soil survey of land under irrigation in Kittitas County, and making an appropriation," was read the third time.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 231.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it be referred to the Committee on Appropriations.

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

Senator Tewksbury moved that the Senate adjourn.

The motion lost.

**Senate Bill No. 182**, by Senator Gannon, entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the State Fair Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 182, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, McMillan, Metcalf, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson, Thein, Todd, Worum—29.

Those voting nay were: Senator Thomas—1.

Absent or not voting: Senators Barnes, Dailey, Farquharson, Kyle, Malstrom, Maxwell, McAulay, Mehner, Morrow, Murfin, Norman, Orndorff, Peirce, Roland, Shorett, Tewksbury—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. 183**, by Senator Gannon, entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the Charitable Educational Penal and Reformatory Institution 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, 1935," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 183, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Lovejoy, Mc-

Millan, Metcalf, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Reardon, Ronald, Ryan (J. H.), Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—29.

Those voting nay were: Senator Ryan (Scott M.)—1.

Absent or not voting: Senators Barnes, Dailey, Farquharson, Knutzen, Kyle, Malstrom, Maxwell, McAulay, Mehner, Morrow, Murfin, Orndorff, Peirce, Roland, Shorett, Tewksbury—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. 184**, by Senator Gannon, entitled: "An Act transferring certain moneys in and to be paid into the state treasury and abolishing the University 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, 1935," 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 Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Lovejoy, McMillan, Metcalf, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson, Thein, Todd, Worum—29.

Absent or not voting: Senators Barnes, Dailey, Farquharson, Knutzen, Kyle, Malstrom, Maxwell, McAulay, Mehner, Morrow, Murfin, Orndorff, Peirce, Roland, Shorett, Tewksbury, Thomas—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.

**Senate Bill No. 185**, by Senator Gannon, entitled: "An Act transferring certain moneys in, and to be paid into the permanent Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 185, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Lovejoy, McMillan, Metcalf, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Reardon, Ronald, Ryan (J. H.), Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—27.

Absent or not voting: Senators Barnes, Dailey, Farquharson, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, Mehner, Morrow, Murfin, Norman, Orndorff, Peirce, Roland, Ryan (Scott M.), Shorett, Tewksbury—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.

**Senate Bill No. 186:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 186, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Highway Safety Fund, and defining the duties and powers of the State Treasurer in connection therewith, and declaring that this act shall take effect April 1, 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, line 7 of the original bill, the same being line 2 of the printed bill by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 3, line 14 of the original bill, the same being line 8 of the printed bill by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 4, line 17 of the original bill, the same being line 10 of the printed bill by striking the word "April" and inserting in lieu thereof the word "May."

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

On motion of Senator Gannon, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 186, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Maxwell, McMillan, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Reardon, Ronald, Ryan (J. H.), Steele, Thein, Todd, Worum—24.

Those voting nay were: Senators Smith, Thomas—2.

Absent or not voting: Senators Barnes, Dailey, Farquharson, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, Mehner, Metcalf, Morrow, Murfin, Norman, Orndorff, Peirce, Roland, Ryan (Scott M.), Shorett, Stinson, Tewksbury—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.

At 3:10 o'clock p. m., on motion of Senator Nugent, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## THIRTY-EIGHTH DAY

### MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, February 20, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

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

The Secretary called the roll, all members being present except Senator Barnes, who was excused, and Senators Maxwell and Nugent.

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

The Secretary read:

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 56, entitled: "An Act relating to the application of monies received by the state under the provisions of Section 191, Title 30, United States Code, Annotated, and under Section 810, Chapter 12, Title 16, Conservation, as contained in the United States Code, Annotated," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,

OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 10, entitled: "An Act relating to elections, providing for electors of president and vice-president of the United States and the method of voting for the same, amending Section 17 of Chapter XIII (13) of the Laws of 1889-90, page 406, as amended by Chapter CVI (106) of the Laws of 1891, as amended by Section 4 of Chapter CLVI (156) of the Laws of 1895, and as amended by Chapter LXXXIX (89) of the Laws of 1901, and amending Section 4 of Chapter 58 of the Laws of 1913, page 180, and amending Section 7 of Chapter 58 of the Laws of 1913, page 182, as amended by Section 2 of Chapter 114 of the Laws of 1915, page 325, and as amended by Section 6 of Chapter 178 of the Laws of 1921, page 703, and amending Section 14 of Chapter 58 of the Laws of 1913, page 191, as amended by Section 8 of Chapter 114 of the Laws of 1915, page 332, and repealing Section 2 of Chapter CXLVIII (148) of the Laws of 1891, page 364," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

MR. PRESIDENT: SENATE CHAMBER,  
OLYMPIA, WASH., February 19, 1935.

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 77, entitled: "An Act relating to and providing for Firemen's Relief and Pension Funds in certain incorporated cities and towns of the State, providing for the maintenance and distribution of such funds and designating the beneficiaries thereof, defining the powers and duties of certain officials, and amending Section 1 of Chapter 196 of the Laws of 1919 and Sections 4, 5, 7, 8, 9, 14, 15, 17, 18 and 19 of said Chapter as amended," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT: Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 227, entitled: "An Act relating to taxation; providing for exemptions; repealing all acts and parts of acts in conflict therewith and declaring that the act shall take effect immediately," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: W. C. Dawson, J. W. Thein.

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

MR. PRESIDENT: SENATE CHAMBER,  
OLYMPIA, WASH., February 19, 1935.

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 186, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Highway Safety Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: W. C. Dawson, J. W. Thein.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

MR. PRESIDENT: SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

We, your Committee on Public Utilities, to whom was referred Senate Bill No. 134, entitled: "An Act relating to the acquirement and extension of water works system beyond city limits, by cities and towns; and fixing the term of utility revenue bonds to pay therefor; and amending Section 4, Chapter 17, of the Laws of the Extraordinary Session of 1933; 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.

ED. PEIRCE, *Chairman*.

We concur in this report: Geo. F. McAulay, S. C. Roland, Paul G. Thomas, P. Frank Morrow, Ralph Metcalf, J. H. Ryan, Kebeil Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred Senate Bill No. 218, entitled: "An Act relating to transportation by motor vehicles over the public highways of the State of Washington, providing for the supervision, regulation and taxation thereof, and the payment of fees thereby; providing penalties for the violation of this act, and making appropriations and declaring an emergency, and repealing Chapter 165 of the Session Laws of 1933, and Chapter 55 of the Laws of Washington, Special Session of 1933, together with all other acts or 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.

ED. PEIRCE, *Chairman*.

We concur in this report: Geo. F. McAulay, S. C. Roland, Paul G. Thomas, P. Frank Morrow, J. H. Ryan, Kebel Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

We, your Committee on Public Welfare and Unemployment Relief, to whom was referred Senate Bill No. 242, entitled: "An Act pensioning blind persons; providing funds for such purpose and providing penalties; and amending Sections 2, 3, 4, 7, 8, and 9, of Chapter 102 of Session Laws of 1933, 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.

JAMES A. MURPHY, *Chairman*.

We concur in this report: J. H. Ryan, Paul G. Thomas, Scott M. Ryan, Kathryn E. Malmstrom, J. P. Keller, Mary U. Farquharson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred Senate Bill No. 235, entitled: "An Act relating to the rates of common carriers of property for compensation and amending Section 57 of Chapter 117 of the Laws of 1911 (Section 10393, 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.

ED. PEIRCE, *Chairman*.

We concur in this report: Geo. F. McAulay, S. C. Roland, Paul G. Thomas, P. Frank Morrow, Ralph Metcalf, J. H. Ryan, Kebel Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

We, your Committee on Financial Institutions Other Than Banks, to whom was referred House Bill No. 214, entitled: "An Act regulating the business of safe deposit companies, defining certain terms, fixing the liability of such companies, providing certain remedies for the enforcement of the liabilities of depositors, renters and lessees of safes, vaults and other receptacles, and for the disposal of the properties therein in case of default, amending Section 4 of Chapter 186, Laws of 1923, being Section 3385, 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.

CHAS. H. TODD, *Chairman.*

We concur in this report: Paul Mehner, W. R. Orndorff, J. W. Thein, Geo. A. Lovejoy, Edmund J. Miller, Paul G. Thomas, James Dailey.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate Bill No. 170, entitled: "An Act appropriating from the fund of fisheries, the sum of Twenty Thousand and no/100 Dollars, (\$20,000.00), or so much thereof as may be necessary for the survey and purchase of the necessary lands, and construction of a food fish hatchery in Grays Harbor County, Washington," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass but that it be re-referred to the Committee on Appropriations.

L. E. TEWKSBURY, *Chairman.*

We concur in this report: D. O. Nugent, H. L. Nelson, Paul Mehner, Geo. A. Lovejoy, J. H. Ryan, James Dailey, Scott M. Ryan, Fred Norman.

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

The Committee on Insurance recommended that Senate Bill No. 161 do pass as amended.

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

The Committee on Fisheries recommended that Senate Bill No. 144 do pass as amended.

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, February 19, 1935.

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

LADIES AND GENTLEMEN:

There is handed you herewith a report as prepared by the Canal Commission appointed under authority of an act of the Legislature adopted at the 1933 Regular Session. There is also handed you herewith a copy of the Proclamation as issued by the Governor under the authority of that act.

Your attention is called to the recommendation of the Commission and contained in the Proclamation to the effect that such a project is feasible.

It is therefore recommended that your body take such action as may be deemed proper in connection with further plans for such a project.

Respectfully submitted,

CLARENCE D. MARTIN, *Governor.*

The Secretary read the proclamation relative to the Canal Commission.

On motion of Senator Kerstetter, the communication and proclamation were referred to the Committee on Harbors and Waterways.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 91; also Substitute House Bill No. 233; also Engrossed House Bill No. 267; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed Senate Bills Nos. 10, 56 and 91.

**INTRODUCTION OF BILLS.**

**Senate Bill No. 275**, by Senators Garrett, Lovejoy, Shorett and Stinson, entitled: "An Act relating to insurance, prescribing the standard form of policies of fire insurance in the state, amending Section 106, Chapter 177, Laws of 1915 (Section 7152 Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Garrett 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. 276**, by Senator Shorett, entitled: "An Act amending Section 4546 of Remington's Compiled Statutes providing for the establishment of special tuition fees in professional schools of the University of Washington."

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 Educational Institutions.

**Senate Bill No. 277**, by Senator Shorett, entitled: "An Act authorizing the Board of Regents of the University of Washington, the Board of Regents of the State College of Washington, and the Boards of Trustees of the State Normal Schools, to assist the faculties and other employees of these institutions in purchasing old age annuities."

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 Educational Institutions.

**House Bill No. 2**, by Representative Herren, entitled: "An Act prescribing the limitations on criminal prosecutions and amending Section 2005, Remington's Revised Statutes."

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

**House Bill No. 22**, by Representative Holt, entitled: "An Act relating to the platting, subdivision and dedication of land."

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

**House Bill No. 231**, by Representatives Wentworth, Wilson, Martin (J. R.), Hurley, Cohen, Hales, Neff and Haddon, entitled: "An Act relating to the sale of certain articles and commodities, providing protection for trade

mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles and commodities of standard quality under a distinguished trade mark, brand or name, prescribing penalties, and declaring that this act shall take effect immediately."

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.

**Substitute House Bill No. 233**, by Committee on Roads and Bridges, entitled: "An Act relating to the maintenance and control of county and secondary highways in counties of the first class."

The bill was read the first time, and on motion of Senator Ronald 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. 91**, by Representatives Adams and Gehlen, entitled: "An Act relating to the sale of intoxicating liquors to Indians and repealing certain acts in relation thereto 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.

**Engrossed House Bill No. 108**, by Representative Yantis, entitled: "An Act relating to city, town, county and regional planning and the creation, organization, duties and powers of planning commissions."

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

**Engrossed House Bill No. 267**, by Representative Hurley, entitled: "An Act relating to civil service in cities and towns and creating a board of civil service commissioners in cities having a fully paid fire department and providing a civil service system based upon examination, investigation as to merit, efficiency and fitness for appointment, employment and promotion of all officers and men appointed in said fire departments; and regulating the transfer, reinstatement, suspension and discharge of said officers and firemen and making the act inapplicable to certain cities and towns."

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 on Municipal Corporations Other Than First Class.

#### GENERAL FILE.

**House Bill No. 41**, by Representatives McCarty, Freese and Boyle, entitled: "An Act relating to health, welfare, and care of children in attendance at public schools, and amending Section 1 of Chapter 190 of the Laws of 1921 as amended by Section 1 of Chapter 152 of the Laws of 1923 (being Section 4,806 of Remington's Compiled Statutes); and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 41, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner,

Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndoff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Worum—39.

Absent or not voting: Senators Barnes, Maxwell, Nelson, Nugent, Reardon, Steele, 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.

**House Bill No. 154:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations, to whom was referred House Bill No. 154, entitled: "An Act making a deficiency appropriation for salaries and wages for the Department of Licenses 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.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Geo. H. Gannon, W. C. Dawson, Geo. A. Lovejoy, G. B. Kerstetter, Chas. H. Todd, D. O. Nugent.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations, to whom was referred House Bill No. 154, 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: J. A. Murphy, Scott M. Ryan.

On motion of Senator Ferryman, the reports of the committee were received.

On motion of Senator Peirce, the Senate resolved itself into a committee of the whole to consider House Bill No. 154.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Peirce, the report of the committee 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.

The Secretary called the roll on the final passage of House Bill No. 154 and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—38.

Those voting nay were: Senators Roland, Ryan (Scott M.), Thomas—3.  
Absent or not voting: Senators Barnes, Maxwell, Murphy (Kebel), Nugent, 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.

Senator Murphy (James A.) gave notice that at the proper time tomorrow he would move to reconsider the vote by which House Bill No. 154 passed the Senate.

**House Bill No. 157:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations, to whom was referred House Bill No. 157, entitled: "An Act making appropriation for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of the State Penitentiary, 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.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Geo. H. Gannon, Geo. A. Lovejoy, E. L. Brunton, W. C. Dawson, Chas. H. Todd, D. O. Nugent.

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations, to whom was referred House Bill No. 157, 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: J. A. Murphy, Scott M. Ryan, G. B. Kerstetter.

On motion of Senator Ferryman, the reports of the committee were received.

On motion of Senator Miller, the Senate resolved itself into a committee of the whole to consider House Bill No. 157.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass.

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

Senator Steele 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. 157, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Knutson, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Miller, Morrow, Murfin, Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—34.

Those voting nay were: Senators Dailey, Kerstetter, Mehner, Murphy (James A.), Murphy (Kebel), Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—9.

Absent or not voting: Senators Barnes, Maxwell, 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.

**House Bill No. 143**, by Representatives Carty and Clark, entitled: "An Act providing for the enlargement of port districts and amending Section 1, Chapter 130, Session Laws of 1921 (Section 9707, Remington's Revised Statutes of Washington)," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 143, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—39.

Those voting nay were: Senators Dawson, Roland, Todd—3.

Absent or not voting: Senators Barnes, Ferryman, Maxwell, 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.

**Engrossed House Bill No. 67**, by Representative Yantis, entitled: "An Act relating to the State Law Library and providing for a Legislative and Municipal Reference Bureau, as a part thereof; making an appropriation and providing that this act shall take effect immediately."

On motion of Senator Peirce, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 67.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Peirce, the following amendments made in the committee of the whole were adopted:

Amend the title by striking the words "making an appropriation."

Amend Sec. 3, line 19 of the printed bill, after the word "any" and before the word "library," insert the word "Public."

Amend Sec. 4 by striking the entire section and renumbering Sec. 5 "Sec. 4."

Senator Murphy (Kebel) 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 Miller moved that Engrossed House Bill No. 67 be indefinitely postponed.

The motion lost.

The Secretary called the roll on the final passage of Engrossed House Bill No. 67, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Duggan, Farquharson, Gannon, Garrett, Keller, Knutzen, Kyle, Lovejoy, McAulay, Metcalf, Murfin, Murphy (James A.), Norman, Orndorff, Ronald, Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—26.

Those voting nay were: Senators Dailey, Ferryman, Kerstetter, Malstrom, McMillan, Mehner, Miller, Morrow, Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Stinson—15.

Absent or not voting: Senators Barnes, Drumheller, Maxwell, Nugent, 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.

Senator Thomas gave notice that at the proper time tomorrow he would move to reconsider the vote by which Engrossed House Bill No. 67 passed the Senate.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

The House has passed House Joint Resolution No. 24, also  
Senate Joint Memorial No. 10, also  
House Bill No. 479, also  
The Speaker has signed Senate Bill No. 10, also  
Senate Bill No. 56, also  
Senate Bill No. 91, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**House Bill No. 192:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 192, entitled: "An Act relating to the assignment of judgments; providing for the filing of acknowledged assigned judgments, and amending Section 5 of Chapter 60 of the Laws of 1929, 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 House Bill No. 192 by striking therefrom all of Section 2.

E. N. STEELE, *Chairman.*

We concur in this report: A. M. Murfin, Judson W. Shorett, H. I. Kyle, J. A. Murphy, Geo. F. McAulay, Fred S. Duggan, Chas. H. Todd, C. F. Stinson.

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

On motion of Senator Steele, the committee amendment was adopted.

On motion of Senator Lovejoy, the following amendment was adopted:

Amend title: after numerals "1929" change comma to period and strike remainder of the title.

The Secretary called the roll on the final passage of House Bill No. 192, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—38.

Those voting nay were: Senators Murphy (Kebel), Ryan (Scott M.), Stinson—3.

Absent or not voting: Senators Barnes, Maxwell, McMillan, Nugent, 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.

At 12:10 o'clock p. m., on motion of Senator Peirce, the Senate recessed until 1:30 o'clock p. m.

#### AFTERNOON SESSION.

The Senate reconvened at 1:30 o'clock p. m., President Meyers in the Chair.

#### GENERAL FILE.

##### Senate Bill No. 188:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate Bill No. 188, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Auto Title Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 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, line 6 of the original bill, the same being line 2 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 3, line 13 of the original bill, the same being line 8 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 4, line 16 of the original bill, the same being line 10 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

On motion of Senator Gannon, the committee amendments were 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 Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, McAulay, McMillan, Mehner, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—35.

Absent or not voting: Senators Barnes, Knutzen, Malstrom, Maxwell, Metcalf, Miller, Nugent, Peirce, Reardon, Smith, Steele—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. 189:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 189, entitled: "An Act establishing a fund in the state treasury to be known as the Federal Experiment Station Fund, transferring certain moneys in and to be paid into the state treasury and abolishing the Adams, Hatch and Purnell Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 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, line 9 of the original bill, the same being line 3 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 3, line 17 of the original bill, the same being line 10 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 4, line 20 of the original bill, the same being line 12 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

On motion of Senator Gannon, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 189, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, McMillan, Mehner, Morrow, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Roland, Ronald, Ryan (J. H.), Shorett, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—32.

Absent or not voting: Senators Barnes, Knutzen, Lovejoy, Maxwell, McAulay, Metcalf, Miller, Murfin, Murphy (Kebel), Peirce, Reardon, Ryan (Scott M.), Smith, Steele—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. 190**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Shoreland Improvement Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," was read the third time.

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 Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Roland, Ronald, Ryan (J. H.), Shorett, Tewksbury, Thein, Thomas, Todd, Worum—33.

Absent or not voting: Senators Barnes, Keller, Knutzen, Maxwell, McAulay, Miller, Murfin, Peirce, Reardon, Ryan (Scott M.), Smith, Steele, 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. 191:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 191, entitled: "An Act establishing a fund in the state treasury to be known as the Federal Co-operative Agricultural Extension Fund, transferring certain moneys in and to be paid into the state treasury and abolishing the Smith-Lever and Capper-Ketcham Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 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, line 10 of the original bill, the same being line 4 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 3, line 19 of the original bill, the same being line 10 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 4, line 22 of the original bill, the same being line 12 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

On motion of Senator Gannon, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 191, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Morrow, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Ronald, Shorett, Smith, Tewksbury, Thein, Thomas, Todd, Worum—30.

Absent or not voting: Senators Barnes, Drumheller, Keller, Knutzen, Maxwell, McAulay, Miller, Murfin, Murphy (Kebel), Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Steele, Stinson—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. 192**, by Senator Gannon, entitled: "An Act transferring certain moneys in the Lateral Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 192, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Murphy (James A.), Nelson, Norman, Orndorff, Ronald, Shorett, Tewksbury, Thein, Thomas, Todd, Worum—27.

Absent or not voting: Senators Barnes, Dawson, Keller, Knutzen, Maxwell, McAulay, Miller, Morrow, Murfin, Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson—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.

**Senate Bill No. 194**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 194, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Shorett, Smith, Tewksbury, Thein, Thomas, Todd, Worum—32.

Absent or not voting: Senators Barnes, Keller, Knutzen, Maxwell, McAulay, Morrow, Murfin, Murphy (Kebel), Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Steele, 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.

**Senate Bill No. 195**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Scientific School 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, 1935," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 195, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—33.

Absent or not voting: Senators Barnes, Knutzen, Maxwell, McAulay, McMillan, Morrow, Murphy (Kebel), Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Smith, 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. 198**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 198, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—35.

Absent or not voting: Senators Barnes, Knutzen, Maxwell, McAulay, Morrow, Murphy (Kebel), Reardon, Roland, Ryan (Scott M.), Smith, 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. 200**, by Senator Gannon, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Agricultural 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, 1935," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 200, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (J. A.), Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—34.

Absent or not voting: Senators Barnes, Drumheller, Knutzen, Maxwell, McAulay, Morrow, Murphy (Kebel), Reardon, Roland, Ryan (Scott M.), Smith, Stinson—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. 201:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 201, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Federal Vocational Rehabilitation Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 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, line 8 of the original bill, the same being line 2 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 3, line 16 of the original bill, the same being line 9 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 4, line 19 of the original bill, the same being line 11 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

On motion of Senator Gannon, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 201, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Dugan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—36.

Absent or not voting: Senators Barnes, Drumheller, Knutzen, Maxwell, McAulay, Morrow, Murphy (Kebel), Ryan (Scott M.), Smith, 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. 203:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 203, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Lewis River Hatchery Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 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, line 9 of the original bill, the same being line 2 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 3, line 17 of the original bill, the same being line 8 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

Amend Section 4, line 20 of the original bill, the same being line 10 of the printed bill, by striking the word "April" and inserting in lieu thereof the word "May."

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: J. A. Murphy, E. L. Brunton, G. B. Kerstetter, W. C. Dawson, Geo. H. Gannon, Ed. Peirce, Scott M. Ryan.

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

On motion of Senator Gannon the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 203, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Thein, Thomas, Todd, Worum—34.

Those voting nay were: Senators Nelson, Norman, Tewksbury—3.

Absent or not voting: Senators Barnes, Drumheller, Knutzen, Maxwell, McMillan, Murphy (Kebel), Peirce, Ryan (Scott M.), 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.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

The House has adopted Engrossed House Concurrent Resolution No. 14, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

At 2:05 o'clock p. m., on motion of Senator Malstrom, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## THIRTY-NINTH DAY

### MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASH., Thursday, February 21, 1935.

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

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 Nelson, the reading of the journal of the previous day was dispensed with, and it was approved.

The Secretary read:

**Engrossed House Concurrent Resolution No. 14**, by Representative Parker: "Relating to a joint session for the purpose of holding memorial services."

On motion of Senator Metcalf, the rules were suspended, the resolution read the second time by title, read the third time and placed on final passage.

On motion of Senator Metcalf, Engrossed House Concurrent Resolution No. 14 was adopted.

The Secretary read:

**House Joint Resolution No. 24**, by Representatives Wanamaker, Cohen, Dixon, Clark, Bowden, Adams, Martin (John R.), Smith (Thos. E.), Drew, Christianson, Edlund, Smith (J. E.), Devenish, Yantis, Jones, Wilson, Ledgerwood, Richmond (W. A.), and Reeves: "Relating to the area from which labor is employed on the Coulee and Bonneville projects."

The resolution was read the first time, and on motion of Senator Metcalf the rules were suspended, the resolution was read the second time by title, and referred to the Committee on Memorials.

Senator Murphy (James A.) withdrew his motion to reconsider the vote by which House Bill No. 154 passed the Senate.

The Secretary read:

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Joint Memorial No. 10: "Relating to Flood Control in the State of Washington," have compared same with the engrossed Senate Joint Memorial and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 188, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Auto Title Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this Act shall take effect April 1, 1935," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, P. Frank Morrow.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 189, entitled: "An Act establishing a fund in the state treasury to be known as the Federal Experiment Station Fund, transferring certain moneys in and to be paid into the state treasury and abolishing the Adams, Hatch and Purnell Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, P. Frank Morrow.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 191, entitled: "An Act establishing a fund in the state treasury to be known as the Federal Co-operative Agricultural Extension Fund, transferring certain moneys in and to be paid into the state treasury and abolishing the Smith-Lever and Capper-Ketcham Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, P. Frank Morrow.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 201, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Federal Vocational Rehabilitation Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, P. Frank Morrow.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 203, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Lewis River Hatchery Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, P. Frank Morrow.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 228, entitled: "An Act relating to minimum wages of employees of the State of Washington and of all municipal corporations and divisions thereof in the State of Washington; repealing laws in conflict 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. H. RYAN, *Chairman.*

We concur in this report: P. Frank Morrow, Paul G. Thomas.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 208, entitled: "An Act relating to the hours, wages and conditions of labor for household workers employed in this state," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. H. RYAN, *Chairman.*

We concur in this report: P. Frank Morrow, Paul G. Thomas. Geo. H. Gannon.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 38, entitled: "An Act to regulate the payment of wages or compensation for labor or service in private employments, providing penalties for violations of its provisions, authorizing the director of labor and industries to enforce this act, defining the duties of prosecuting attorneys, relative to its enforcement, and providing for the collection of certain penalties by civil action at the direction of such director," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. H. RYAN, *Chairman.*

We concur in this report: P. Frank Morrow, Paul G. Thomas. Geo. H. Gannon.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 37, entitled: "An Act relating to wages of employees and workmen, creating a lien therefor, providing for priority in cases of insolvency, receivership, bankruptcy, and probate, and providing other remedies and amending Sections 1149, 1150, 1204, 1205 and 1206 of Remington's Compiled 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.

J. H. RYAN, *Chairman*.

We concur in this report: P. Frank Morrow, Paul G. Thomas.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 261, entitled: "An Act abolishing writs of garnishment in the superior courts and justice courts and repealing all sections and parts of sections in relation thereto and 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.

J. H. RYAN, *Chairman*.

We concur in this report: P. Frank Morrow, Paul G. Thomas.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Joint Memorial No. 14, entitled: "Relating to the employment of American citizens by American ships, and shipping companies, and particularly those receiving government subsidies," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. H. RYAN, *Chairman*.

We concur in this report: Paul G. Thomas, W. J. Knutzen.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 54, entitled: "An Act relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept a rebate on those performing services under contractors and subcontractors doing public work," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. H. RYAN, *Chairman*.

We concur in this report: P. Frank Morrow, Paul G. Thomas. Geo. H. Gannon.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred House Bill No. 21, entitled: "An Act relating to cities of the first class, authorizing such cities

owning and operating public utilities to deal with and to contract with employees of such utilities and their accredited representatives, concerning wages, hours and conditions of labor therein," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. H. RYAN, *Chairman*.

We concur in this report: P. Frank Morrow, Paul G. Thomas.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred House Joint Memorial No. 14, entitled: "Asking the enactment of Senate Bill No. 87, known as the 'Black Bill,' and any other legislation that has for its purpose the encouragement of the five day week and the six hour day," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

J. H. RYAN, *Chairman*.

We concur in this report: P. Frank Morrow, Paul G. Thomas.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Senate Bill No. 250, entitled: "An Act prohibiting the sale of intoxicating liquors within prescribed limits of state educational institutions, and repealing Sections 1 and 2 of Chapter 98 of the Laws of 1903, as amended by Sections 1 and 2 of Sub-chapter 21 of Chapter 97 of the Laws of 1909, the same being Sections 5102 and 5103, respectively, 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. A. LOVEJOY, *Chairman*.

We concur in this report: Paul Mehner, L. E. Tewksbury, G. B. Kerstetter, E. N. Steele, J. P. Keller, J. Drumheller, J. W. Thein, J. H. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Senate Bill No. 249, entitled: "An Act relating to crimes and punishments, and more particularly to the sale of under aged liquor, and repealing Sections 443 and 444 of Chapter 249 of the Laws of 1909, the same being Sections 2695 and 2696, respectively, 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.

GEO. A. LOVEJOY, *Chairman*.

We concur in this report: Paul Mehner, G. B. Kerstetter, J. Drumheller, E. N. Steele, J. P. Keller, J. W. Thein, J. H. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Engrossed House Bill No. 91, entitled: "An Act relating to the sale of intoxicating liquors to Indians and repealing certain acts in relation thereto 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: C. Nifty Garrett, G. B. Kerstetter, L. E. Tewksbury, D. O. Nugent, J. W. Thein, Paul Mehner, J. P. Keller, J. Drumheller, J. H. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 121, entitled: "An Act relating to official reports and to the budget system of the State of Washington; prescribing the powers and duties of state officers and employees with respect thereto; providing for the distribution thereof to members of the Legislature; and amending Chapter 9 of the Laws of 1925, as amended by Chapter 162 of the Laws of 1929; (Sec. 10927-4 Rem. Rev. Stat.); and repealing all laws 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.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, G. B. Kerstetter, Kathryn E. Malstrom, Geo. A. Lovejoy, Ed. Peirce, Chas. H. Todd.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 254, entitled: "An Act providing for a loan from the general fund to the capitol building construction fund, providing for the repayment of the same, making appropriations, and declaring that this act shall take effect on April 15, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: Geo. A. Lovejoy, Kathryn E. Malstrom, Scott M. Ryan, Ed. Peirce, J. Drumheller, E. L. Brunton, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 199, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Old Age Pension Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: Scott M. Ryan, E. L. Brunton, W. C. Dawson, Kathryn E. Malstrom, Joseph Drumheller, Geo. A. Lovejoy, Ed. Peirce.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 197, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Reformatory Revolving Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall

take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: Scott M. Ryan, E. L. Brunton, W. C. Dawson, Joseph Drumheller, Kathryn E. Malstrom, Ed. Peirce, Geo. A. Lovejoy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 196, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Penitentiary Revolving Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: Scott M. Ryan, E. L. Brunton, W. C. Dawson, Joseph Drumheller, Ed. Peirce, Geo. A. Lovejoy, Kathryn E. Malstrom.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 187, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Commission Merchants Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: Scott M. Ryan, Joseph Drumheller, Ed. Peirce, Kathryn E. Malstrom, E. L. Brunton, W. C. Dawson, Geo. A. Lovejoy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 279, entitled: "An Act relating to the south one-half of the southeast one-quarter of section twenty-four, township twenty-two north, range twenty-six east of the Willamette meridian and repealing all laws or parts of laws 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.

J. W. THEIN, *Chairman*.

We concur in this report: Paul Mehner, J. D. Bengtson, Geo. F. McAulay.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 149, entitled: "An Act relating to taxation of real and personal property, regulating the collection of taxes, conferring certain powers on county treasurers, and amending Sections 82, 84, 87, 89 and 104 of Chapter 130, Laws of the Extraordinary Session 1925, and Section 83 of said Chapter as amended by Chapter 113, Session

Laws of 1931, and Section 86 of said Chapter 130 as amended by Chapter 33, Session Laws of 1933 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.

PAUL MEHNER, *Chairman*.

We concur in this report: Fred S. Duggan, J. H. Ryan, P. Frank Morrow, James Dailey, W. J. Knutzen, H. I. Kyle, A. M. Murfin, Judson W. Shorett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 162, entitled: "An Act relating to the issuance and the sale of school bonds and amending Section 4943 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.

MARY U. FARQUHARSON, *Chairman*.

We concur in this report: W. R. Orndorff, Ralph Metcalf, Kathryn E. Malstrom, L. E. Tewksbury.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate Bill No. 92, entitled: "An Act relating to a system of student fees in the State College of Washington and providing for the collection and disposition of the same, and amending Section 2 of Chapter 164 of the Laws of 1921, and repealing Section 1 of Chapter 9, of the Laws of the Extraordinary Session of 1909," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 92 be substituted therefor and that it do pass.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: Scott M. Ryan, Geo. H. Gannon, Mary U. Farquharson, E. L. Brunton, A. M. Murfin, Chas. H. Todd, Kathryn E. Malstrom, W. G. Ronald, John F. Worum, K. W. Reardon, H. I. Kyle.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 97, entitled: "An Act relating to and providing for the security of the payment of wages to workers in coal mines, providing for the administration thereof, providing penalties for violation 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 be re-referred to the Committee on Appropriations.

J. H. RYAN, *Chairman*.

We concur in this report: P. Frank Morrow, Paul G. Thomas, Geo. H. Gannon.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

A majority of the Committee on Appropriations recommended that House Bill No. 255 do pass.

A minority of the Committee on Appropriations recommended that House Bill No. 255 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Committee on State Granted, School and Tide Lands recommended that Senate Bill No. 223 do pass with certain amendments.

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

A majority of the Committee on Revenue and Taxation recommended that Senate Bill No. 240 do pass as amended.

A minority of the Committee on Revenue and Taxation recommended that Senate Bill No. 240 do not pass.

The reports of the committee, together with the bill, were placed on general file.

A majority of the Committee on Revenue and Taxation recommended that Substitute House Joint Resolution No. 11 do pass as amended.

A minority of the Committee on Revenue and Taxation recommended that Substitute House Joint Resolution No. 11 do not pass.

The reports of the committee, together with the bill, were placed on general file.

A majority of the Committee on Appropriations recommended that House Bill No. 321 do not pass.

A minority of the Committee on Appropriations recommended that House Bill No. 321 do 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 21, 1935.

MR. PRESIDENT:

The House has passed Senate Joint Memorial No. 16; also Senate Bill No. 111; also House Joint Memorial No. 23; and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

The President signed Senate Joint Memorial No. 10.

#### INTRODUCTION OF BILLS.

**House Bill No. 479**, by Committee on Elections and Privileges, entitled: "An Act relating to the nomination and election of Supreme and Superior Court Judges and amending Section 5212 of Remington's Compiled Statutes of Washington."

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

**Senate Bill No. 278**, by Senator Orndorff, entitled: "An Act relating to real estate brokers, and amending Chapter 129, Laws Extraordinary Session 1925, by adding thereto a section to be known as Section 24, further defining their rights."

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. 279**, by Senator Miller, entitled: "An Act relating to marble games and games of skill; authorizing cities and counties to license

the same, providing the fees collected shall be paid into the salary fund of the municipal corporation collecting the same; providing penalties and declaring an emergency, and repealing all laws or parts of laws in conflict therewith."

The bill was read the first time, and on motion of Senator Miller 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. 280**, by Senator Thein, entitled: "An Act establishing a state road to be known as State Road No. 9, or the Olympic Highway, and amending Section 8 of Chapter 185, Session Laws of 1923, as amended by Section 5 of Chapter 26, Session Laws of 1925."

The bill was read the first time, and on motion of Senator Thein 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. 281**, by Senator Reardon, entitled: "An Act relating to education, providing for the consolidation of school districts and amending Sections 1 and 2 of Chapter 52 of the Laws of the Extraordinary Session of 1933, and Section 3, Chapter 75 of the Laws of 1933, and providing that this act shall take effect immediately."

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.

**Substitute Senate Bill No. 92**, by Committee on Educational Institutions, entitled: "An Act relating to a system of student fees in the State College of Washington and providing for the collection and disposition of the same, and amending Section 2 of Chapter 164 of the Laws of 1921, and repealing Section 1 of Chapter 9 of the Laws of the Extraordinary Session of 1909."

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 Educational Institutions.

#### GENERAL FILE.

##### **Substitute Senate Bill No. 155:**

Senator Tewksbury moved that the bill hold its place on the calendar for Monday.

The motion carried.

##### **Senate Joint Resolution No. 7:**

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 12, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 7, entitled: "Providing for the submission to the electors of the State of a constitutional amendment amending Section 1 of article VII, of the Constitution of the State of Washington, 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.

FRED S. DUGGAN, *Chairman.*

We concur in this report: E. N. Steele, C. Nifty Garrett, Ralph Metcalf, S. C. Roland, H. I. Kyle.

SENATE CHAMBER,  
OLYMPIA, WASH., February 12, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 7, 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: P. Frank Morrow, Ed. Peirce, K. W. Reardon, Paul G. Thomas, Mary Farquharson.

On motion of Senator Duggan, the reports of the committee were received and the bill was read the third time.

Senator Thomas moved the adoption of the following amendment:

Amend next to last line in Section 1: delete the word "Net."

Senators Miller, Morrow and Reardon demanded a call of the Senate.

A call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Lovejoy, the Senate proceeded under the call of the Senate.

The motion by Senator Thomas lost.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 7, and it passed by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumbheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—39.

Those voting nay were: Senators Farquharson, Kerstetter, Metcalf, Morrow, Peirce, Ryan (Scott M.), Thomas—7.

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

On motion of Senator Ferryman, the further call of the Senate was dispensed with.

The Secretary read:

**MESSAGES FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

The Speaker has signed House Concurrent Resolution No. 13; also House Bill No. 308; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 192 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

**Senate Bill No. 29:**

The Secretary read:

## REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 13, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 29, entitled: "An Act relating to and regulating the possession, transportation, treatment and disposition of dead human bodies, the licensing of embalmers and funeral directors, regulating conduct in relation thereto, providing for maximum burial charges in estates escheating to the State of Washington, providing penalties for violation thereof, and repealing all acts and parts of acts in conflict," 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 page 1, line 24 of the original bill, same being page 1 line 13 of the printed bill, by striking the comma after the word "president" and before the word "secretary" and inserting in lieu thereof the word "and."

Amend page 1 line 24 of the original bill, same being page 1 line 13 of the printed bill, by striking the words "and treasurer" after the word "secretary," and before the word "and."

Amend page 2 line 10 of the original bill, same being page 2 line 2 of the printed bill, by striking after the word "of" and before the words "one hundred and fifty dollars (\$150.00)" and inserting in lieu thereof the words "two hundred and fifty dollars (\$250.00)."

Amend page 2 line 13 of the original bill, same being page 2 line 4 of the printed bill, by striking after the word "exceed" the words "two hundred and fifty dollars (\$250.00)" and inserting in lieu thereof the words "three hundred and fifty dollars (\$350.00)."

Amend page 2 line 28 of the original bill, same being page 2 line 16 of the printed bill, by inserting between the words "board" and "an" the words "subject to the approval of the Director of Licenses."

Amend page 2 lines 30 and 31 of the original bill, same being line 18 page 2 of the printed bill, by striking, after the word "Inspector" the words "of the State of Washington may" and inserting in lieu thereof the word "shall."

Amend page 3 line 2 of the original bill, same being page 2 line 20 of the printed bill, by striking the comma after the word "board," and inserting in lieu thereof the words "and Director of Licenses."

Amend page 3 line 3 of the original bill, same being page 2 line 21 of the printed bill by striking after the word "paid" the words "only out of the receipts of the board" and inserting in lieu thereof the words "as all state employees."

Amend page 3 line 5 of the original bill, same being page 2 line 22 of the printed bill, by inserting between the word "board" and the word "and" the words "and the Director of Licenses."

Amend page 3 line 8 of the original bill, same being page 2 line 24 of the printed bill by striking the word "Inspecting" and inserting in lieu thereof the word "Inspector."

Amend page 3 line 8 of the original bill, same being page 2 line 25 of the printed bill by inserting between the words "mean" and "to" the words "the right."

Amend page 3 line 11 of the original bill, same being page 2 line 27 of the printed bill, by striking the entire section and inserting in lieu thereof a new section to be known as "Sec. 5" which shall read as follows: "Sec. 5. There is hereby appropriated out of the general fund the sum of three thousand five hundred dollars (\$3,500.00) annually for the salaries and expenses of the Inspector and the members of the board and for other incidentals."

Amend page 5 line 13 of the original bill, same being page 3 line 34 of the printed bill, by striking the word "may" between the words "examination" and "be" and insert in lieu thereof the word "shall."

Amend page 5 lines 14 and 15 of the original bill, same being page 3 lines 34 and 35 of the printed bill, by striking the words "secretary of said board at any time and such secretary" between the words "the" and "shall" and inserting in lieu thereof the words "Director of Licenses who shall immediately transmit a copy of said application to the secretary of the board. The secretary."

Amend page 6 line 1 of the original bill, same being page 4 line 4 of the printed bill, by adding an additional sentence to read as follows: "All licenses shall be issued

by the Director of Licenses but only upon the recommendation of the board and every license shall be signed by the president of the board."

Amend page 6 line 3 of the original bill, same being page 4 line 6 of the printed bill, by striking the words "treasurer of the board" between the words "the" and "the" and inserting in lieu thereof the words "Director of Licenses."

Amend page 6 line 4 of the original bill, same being page 4 line 7 of the printed bill, by striking the word "granted" between the words "is" and "he" and inserting in lieu thereof the words "recommended by the board."

Amend page 6 line 9 of the original bill, same being page 4 line 10 of the printed bill, by striking the word "board" between the words "said" and "an" and inserting in lieu thereof the words "Director of Licenses."

Amend page 6 line 10 of the original bill, same being page 4 line 11 of the printed bill, by striking the word "board" between the words "the" and "the" and inserting in lieu thereof the words "Director of Licenses."

Amend page 6 line 15 of the original bill, same being page 4 line 15 of the printed bill, by striking the word "board" between the words "the" and "the" and inserting in lieu thereof the words "Director of Licenses."

Amend page 6 line 19 of the original bill, same being page 4 line 17 of the printed bill, by striking the word "board" between the words "the" and "the" and inserting in lieu thereof the words "Director of Licenses."

Amend page 6 line 26 of the original bill, same being page 4 line 23 of the printed bill, by striking the word "board" between the words "said" and "prior" and inserting in lieu thereof the words "Director of Licenses."

Amend page 6 line 31 of the original bill, same being page 4 line 26 of the printed bill, by striking the word "board" between the words "such" and "upon" and inserting in lieu thereof the words "Director of Licenses."

Amend page 6 line 31 of the original bill, same being page 4 line 27 of the printed bill, by striking the word "board" between the words "the" and "of" and inserting in lieu thereof the words "Director of Licenses."

Amend page 7 line 10 of the original bill, same being page 4 line 27 of the printed bill, by inserting between the words "said" and "board" the words "Director of Licenses and said."

Amend page 7 line 12 of the original bill, same being page 4 line 35 of the printed bill by inserting between the words "said" and "board" the words "Director of Licenses and said."

Amend page 7 line 16 of the original bill, same being page 4 line 39 of the printed bill by striking the word "board" between the words "said" and "for" and inserting in lieu thereof the words "Director of Licenses."

Amend page 7 line 18 of the original bill, same being page 4 line 10 of the printed bill, by striking the words "Board of Funeral Directors and embalmers" between the words "the" and "for" and inserting in lieu thereof the words "Director of Licenses."

Amend page 8 lines 4 and 5 of the original bill, same being page 5 line 10 of the printed bill, by striking the words "treasurer of said board" between the words "the" and "shall" and inserting in lieu thereof the words "Director of Licenses."

Amend page 8 line 13 of the original bill, same being page 5 line 17 of the printed bill, after the comma after twenty-five dollars (\$25.00) and before the word "issue" inserting the words "recommend that the Director of Licenses."

Amend page 8 line 27 of the original bill, same being page 5 line 27 of the printed bill, after the word "repealed," inserting the words "excepting parts of acts with which it can be reconciled."

D. O. NUGENT, *Chairman.*

We concur in this report: Edmund J. Miller, H. L. Nelson, G. B. Kerstetter, Paul G. Thomas, Kathryn E. Malstrom.

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

On motion of Senator Malstrom, the first two committee amendments were adopted.

Senator Malstrom moved that the third committee amendment be adopted.

The motion lost.

Senator Malstrom moved that the fourth committee amendment be adopted.

The motion lost.

On motion of Senator Malstrom, the fifth, sixth and seventh committee amendments were adopted.

Senator Malstrom moved that the eighth committee amendment be adopted.

The motion lost.

On motion of Senator Malstrom, the ninth, tenth and eleventh committee amendments were adopted.

On motion of Senator Malstrom, the Senate resolved itself into a committee of the whole to consider the appropriation in Senate Bill No. 29.

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 the appropriation be not adopted.

Senator Duggan moved that the report of the committee be adopted.

Senator Lovejoy moved that the bill be referred to the Committee on Judiciary.

Senator Morrow moved that the bill be laid on the table.

The motion by Senator Morrow carried.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 63, also House Joint Memorial No. 11, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**Senate Bill No. 259:**

On motion of Senator McAulay, the bill was re-referred to the Committee on Judiciary.

The President signed House Concurrent Resolution No. 13, and House Bill No. 308.

At 12:28 o'clock p. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## FORTIETH DAY

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### MORNING SESSION.

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#### SENATE CHAMBER,

OLYMPIA, WASH., Friday, February 22, 1935.

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

Reverend Claude H. Lorimer, of the Central Baptist Church of Olympia, offered prayer.

The Secretary called the roll, all members being present except Senators Barnes, Maxwell and Drumheller.

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

On motion of Senator Murphy (James A.), Senator Maxwell was excused.

On motion of Senator Mehner, Senator Drumheller was excused.

The Secretary read:

**Senate Joint Memorial No. 21**, by Senator Dailey: "Relating to an allocation of P. W. A. Funds for the development of oil and gas in the State of Washington."

The memorial was read the first time and on motion of Senator Dailey, the rules were suspended, the memorial was read the second time by title, ordered printed and referred to the Committee on Mines and Mining.

**Senate Joint Resolution No. 18**, by Senator Lovejoy: "Relating to the prohibiting of shipping of steelhead trout, from November 20th of each year to May 1st of the following year."

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

**Senate Joint Resolution No. 19**, by Senators Lovejoy and Malstrom: "Relating to flax industry and manufacture of linen."

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

**House Joint Memorial No. 11**, by Representative Smith (Thomas E.): "Relating to legislation providing for rehabilitation of homes and families."

The memorial was read the first time, and on motion of Senator Peirce, the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

**House Joint Memorial No. 23**, by Representative Wiswall: "Changing the name of Vancouver Barracks to Fort Vancouver."

The memorial was read the first time, and on motion of Senator Peirce the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

Senator Malstrom moved that Senate Bill No. 29 be taken from the table for the purpose of being re-referred to a committee.

The motion carried.

On motion of Senator Malstrom, Senate Bill No. 29 was re-referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

The Secretary read:

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 111, entitled: "An Act making appropriations for the payment of salaries of certain officers and employees of the state and for operation, maintenance and other expenses of state institutions, and declaring this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Joint Memorial No. 16: "Memorial for the relief of farmers against agricultural indebtedness," have compared same with the engrossed Memorial and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, W. J. Knutzen.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate Bill No. 102, entitled: "An Act relating to all elections in second and third class school districts in all counties except Class A and first-class counties, repealing certain acts, 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.

H. I. KYLÉ, *Chairman.*

We concur in this report: J. A. Murphy, Earl Maxwell, H. L. Nelson, J. P. Keller, P. Frank Morrow.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate Bill No. 110, entitled: "An Act relating to elections and providing that blind persons or persons of defective vision may request the assistance of certain persons to mark their ballots other than is now provided by law, 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.

H. I. KYLE, *Chairman*.

We concur in this report: J. A. Murphy, Earl Maxwell, H. L. Nelson, Fred S. Duggan, J. P. Keller, P. Frank Morrow.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 202, entitled: "An Act transferring certain monies 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, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: J. A. Murphy, Geo. H. Gannon, Scott M. Ryan, W. C. Dawson, Chas. H. Todd, G. B. Kerstetter.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate Bill No. 206, entitled: "An Act relating to elections and to precinct election boards and the appointment thereof; repealing Section 5 of Chapter 61, Laws of 1921, as amended by Section 1 of Chapter 79, Laws of 1933; repealing Section 3 of Chapter 170, Laws of 1921, as amended by Section 3 of Chapter 279 of Laws of 1927 and repealing Section 1 of Chapter 29, Laws of Extraordinary Session, 1933," 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: Earl Maxwell, J. A. Murphy, H. L. Nelson, Fred S. Duggan, J. P. Keller, P. Frank Morrow.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 263, entitled: "An Act to amend Section 11097-52 of Remington's Compiled Statutes 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.

PAUL MEENER, *Chairman*.

We concur in this report: W. R. Orndorff, Mary Farquharson, A. M. Murfin, W. J. Knutzen, James Dailey, Judson W. Shorett, P. Frank Morrow, Fred S. Duggan, K. W. Reardon.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 269, entitled: "An Act permitting the board of county commissioners to lease and to improve county owned land acquired for taxes," 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: Fred Norman, S. C. Roland, John F. Worum.

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

The Committee on Appropriations 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.

The Committee on Elections and Privileges recommended that Senate Bill No. 31 do pass with certain amendments.

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

The Committee on Elections and Privileges recommended that Engrossed House Bill No. 10 do pass with certain amendments.

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

The Committee on Constitutional Revision recommended that House Joint Resolution No. 10 do pass with certain amendments.

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

A majority of the Committee on Public Utilities recommended that Substitute Engrossed House Bill No. 55 do pass.

A minority of the Committee on Public Utilities recommended that Substitute Engrossed House Bill No. 55 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 21, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Joint Memorial No. 10, also House Bill No. 41, also House Bill No. 143, also House Bill No. 157, also

The House has passed Initiative Measure No. 2, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

The House refuses to concur in Senate amendments to Engrossed House Bill No. 67, and asks the Senate to recede therefrom, and the said bill is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

Senator Miller moved that the Senate do not recede from its amendments to Engrossed House Bill No. 67 and ask for a conference thereon.

The motion carried.

#### INTRODUCTION OF BILLS.

Senate Bill No. 282, by Senator Nugent, entitled: "An Act relating to the University of Washington; making an appropriation; and declaring an emergency."

The bill was read the first time, and on motion of Senator Nugent 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. 283**, by Senator Kerstetter, entitled: "An Act relating to game fishing, providing that all licensees may fish in all open waters of this state for which they hold licenses, during the open season."

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 Game and Game Fish.

**Senate Bill No. 284**, by Senator Keller, entitled: "An Act relating to primary highways; establishing State Road No. 4, or the Tonasket-San Poil Highway; and amending Section 14 of Chapter 185 of the Session Laws of 1923, as amended by Section 1 of Chapter 26 of the Session Laws of 1925 (Section 6791-14, 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 Roads and Bridges.

**Senate Bill No. 285**, by Senator Lovejoy, entitled: "An Act relating to the rights of Indians fishing on reservations and amending Section 5964, Remington's Compiled 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 Fisheries.

**Senate Bill No. 286**, by Senators Shorett and Bengtson, entitled: "An Act relating to the disposal of certain products and permitting farmers, gardeners and manufacturers to sell same without licenses and amending Section 8343 of Remington's Revised Statutes of Washington, and repealing acts or parts of acts in conflict therewith."

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 Agriculture.

**Senate Bill No. 287**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act authorizing the expenditure of funds from the Liquor Revolving Fund by the Washington State Liquor Control Board in the construction of an office building on 'Capitol Place' in Olympia, Washington."

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.

**Engrossed House Bill No. 63**, by Representative Clark, entitled: "An Act relating to the relief of soldiers, sailors and marines of the Disabled Veterans of the World War and their families; and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Steele the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Welfare and Unemployment Relief.

## GENERAL FILE.

**Senate Bill No. 99:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 11, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate Bill No. 99, entitled: "An Act relating to the custody, testing and preparing of voting machines, and amending Section 5309 of Remington's Compiled 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 9 of the original bill and Section 1, lines 3 and 4 of the printed bill by striking the words "or any other person or persons" and the underlining.

H. I. KYLE, *Chairman.*

We concur in this report: J. P. Keller, H. L. Nelson, J. A. Murphy, Earl Maxwell.

On motion of Senator Kyle, 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. 99, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—40.

Absent or not voting: Senators Barnes, Drumheller, Maxwell, Nugent, Reardon, Steele—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. 254**, by Committee on Rules and Joint Rules (by executive request), entitled: "An Act providing for a loan from the general fund to the capitol building construction fund, providing for the repayment of the same, making appropriations, and declaring that this act shall take effect on April 15, 1935," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 254, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd—38.

Those voting nay were: Senators Murphy (Kebel), Roland—2.

Absent or not voting: Senators Barnes, Drumheller, Maxwell, Miller, Steele, Worum—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. 321:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations, to whom was referred House Bill No. 321, entitled: "An Act making a deficiency appropriation for salaries and wages and operations for the Commissioner of Public Lands 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 not pass.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Scott M. Ryan, W. C. Dawson, G. B. Kerstetter, J. A. Murphy, E. L. Brunton, Chas. H. Todd.

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations, to whom was referred House Bill No. 321, 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 Drumheller, Ed. Peirce, Kathryn E. Malstrom, Geo. A. Lovejoy, Geo. H. Gannon.

On motion of Senator Ferryman, the reports of the committee were received and the bill was read the third time.

On motion of Senator Ferryman, the Senate resolved itself into a committee of the whole to consider House Bills Nos. 321 and 255.

The bills were considered in the committee of the whole, Senator Farquharson in the chair, and reported back to the Senate with the recommendation that they do pass.

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

Senator Miller moved that the reading had in the committee of the whole be considered the third reading of House Bill No. 321 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. 321, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Farquharson, Gannon, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, Metcalf, Miller, Morrow, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Stinson, Tewksbury, Thein—22.

Those voting nay were: Senators Dawson, Duggan, Ferryman, Garrett, Keller, Kerstetter, McMillan, Mehner, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Reardon, Roland, Thomas—15.

Absent or not voting: Senators Barnes, Brunton, Drumheller, Maxwell, Ryan (Scott M.), Smith, Steele, Todd, Worum—9.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Miller gave notice that at the proper time tomorrow he would move to reconsider the vote by which House Bill No. 321 failed to pass the Senate.

**House Bill No. 255:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Appropriations, to whom was referred House Bill No. 255, entitled: "An Act making a deficiency appropriation to the Secretary of State for printing initiative and referendum measures and constitutional amendments 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: E. L. Brunton, W. C. Dawson, Joseph Drumbheller, Ed. Peirce, Geo. A. Lovejoy, Kathryn E. Malstrom, G. B. Kerstetter.

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Appropriations, to whom was referred House Bill No. 255, 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: Scott M. Ryan, J. A. Murphy.

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

Senator Kyle moved that the reading had in the committee of the whole be considered the third reading of House Bill No. 255 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. 255 and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dawson, Farquharson, Gannon, Garrett, Keller, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, Metcalf, Miller, Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—27.

Those voting nay were: Senators Dailey, Duggan, Ferryman, Kerstetter, McMillan, Mehner, Morrow, Murfin, Murphy (James A.), Roland, Thomas—11.

Absent or not voting: Senators Barnes, Brunton, Drumbheller, Maxwell, Norman, Reardon, Ryan (Scott M.), Worum—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. 149**, by Committee on Rules and Joint Rules (by executive request), entitled: "An Act relating to the rate of interest to be paid by state depositaries upon moneys deposited by the commissioner of public

lands and amending Section 4, Chapter 51 of the Laws of 1911 (Section 5558 Remington's Revised Statutes)," was read the third time.

On motion of Senator Gannon, the following amendment was adopted:

Amend the title by adding "and declaring an emergency."

The Secretary called the roll on the final passage of Senate Bill No. 149, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—40.

Absent or not voting: Senators Barnes, Brunton, Drumheller, Maxwell, Ryan (Scott M.), Worum—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:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 352, also  
House Bill No. 353, also  
House Bill No. 372, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference on Senate amendments to Engrossed House Bill No. 67, and the Speaker has appointed as a conference committee thereon, Representatives Yantis, Ott, and Myers.

S. R. HOLCOMB, *Chief Clerk.*

The President signed Senate Joint Memorial No. 16, Senate Bill No. 111, House Bill No. 41, House Bill No. 143, and House Bill No. 157.

At 11:45 o'clock a. m., on motion of Senator Peirce, the Senate recessed until 1:45 o'clock p. m.

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**AFTERNOON SESSION.**


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The Senate reconvened at 1:45 o'clock p. m., President *Pro Tempore* Peirce in the Chair.

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 22, 1935.

*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. 91: "An Act relating to intoxicating liquors, providing for the disposition of public funds, repealing Section 76 and amending Section 77 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington (Sec. 7306-76 and 77, Remington's Revised Statutes), and declaring that this act shall take effect immediately."

Very truly yours,

RICHARD HAMILTON,

*Secretary to the Governor.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Joint Memorial No. 16, also  
Senate Bill No. 111, also  
House Bill No. 154, also  
House Bill No. 192, also  
House Concurrent Resolution No. 14, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

The hour of 2:00 o'clock p. m. having arrived, the Senate recessed to the House Chamber for the Joint Memorial Services, set for that hour.

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**JOINT SESSION.**


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The Sergeant-at-Arms of the House 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.

The Secretary of the Senate called the roll of the Senate, all members being present.

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



## FORTY-THIRD DAY

### MORNING SESSION.

SENATE CHAMBER,

OLYMPIA, WASH., Monday, February 25, 1935.

The Senate was called to order at 11:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

The Secretary called the roll, all members being present.

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

Senator Miller moved that the Senate reconsider the vote by which House Bill No. 321 failed to pass the Senate.

The motion carried.

### RECONSIDERATION.

Senators Miller, Ryan (J. H.) and Lovejoy demanded a call of the Senate. A call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senators Nugent and Stinson.

The Sergeant-at-Arms was instructed to lock the doors of the Senate Chamber.

On motion of Senator Lovejoy, the Senate proceeded under the call of the Senate.

The Secretary called the roll on the final passage of House Bill No. 321, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Drumheller, Farquharson, Gannon, Keller, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Mehner, Miller, Morrow, Murfin, Murphy (Kebel), Norman, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Tewksbury, Thein—30.

Those voting nay were: Senators Dawson, Duggan, Ferryman, Garrett, Kerstetter, McMillan, Metcalf, Murphy (James A.), Nelson, Roland, Ryan (Scott M.), Thomas, Worum—13.

Absent or not voting: Senators Nugent, Stinson, 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.

The Secretary read:

### SENATE RESOLUTION.

By Senators Thomas and Ryan (Scott M.):

*Be It Resolved*, By the Senate of the State of Washington in legislative session assembled:

WHEREAS, It has been customary the several closing days of the session to have night sessions, with no time for important committee deliberations, and to hold sessions and to pass bills beyond the constitutional limit of sixty days, by resorting to

methods unbecoming to legislators and unfair to their constituents, such as stopping the clock and imagining the passing of time has been stopped thereby; and

WHEREAS, As a result of such hasty and fevered activities, many regrettable laws have been passed and many humanitarian measures have been defeated;

*Now, Therefore Be It Resolved*, By the Senate of the State of Washington, that the Senate adjourn sine die at midnight the 14th day of March, 1935, and that the Western Union Telegraph Company be instructed to send a messenger at midnight to inform us of this time; and

*Be It Further Resolved*, That this will give every member of the Senate the opportunity to give due consideration and proper respect to every bill presented, both on the floor and in their respective committees, and in this manner they may act as a normal and deliberate body.

Senator Thomas moved that the rules be suspended, the resolution read the second time by title, read the third time and be placed on final passage.

On motion of Senator Steele, the motion of Senator Thomas was laid on the table.

The Secretary read:

**SENATE JOINT MEMORIAL.**

**Senate Joint Memorial No. 22**, by Senators Garrett, Norman, Steele and Thein: "Relating to the system of canals connecting Puget Sound with the Columbia River by way of Grays Harbor and Willapa Harbor."

On motion of Senator Garrett, the rules were suspended, the memorial read the second time by title, read the third time and placed on final passage.

Senator Ryan (Scott M.) moved that the motion by Senator Garrett be laid on the table.

The motion by Senator Ryan (Scott M.) lost.

The Secretary called the roll on the final passage of Senate Joint Memorial No. 22, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—42.

Those voting nay were: Senators Dawson, Roland, Ryan (Scott M.)—3.

Absent or not voting: Senator Todd—1.

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

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

MR. PRESIDENT:

SENATE CHAMBER,  
OLYMPIA, WASH., February 22, 1935.

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 149, entitled: "An Act relating to the rate of interest to be paid by state depositaries upon moneys deposited by the commissioner of public lands and amending Section 4, Chapter 51 of the Laws of 1911 (Section 5558 Remington's Revised Statutes) and declaring an emergency," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 99, entitled: "An Act relating to the custody, testing and preparing of voting machines, and amending Section 5309 of Remington's Compiled Statutes," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: P. Frank Morrow, W. C. Dawson.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 145, entitled: "An Act regulating and licensing the practice of Physio-Medicine and Surgery and creating a Board of Examiners for such practitioners, defining the powers and duties of such Board, defining the term 'Physio-Medicine,' defining what shall be unprofessional conduct, defining the term 'College of Physio-Medicine and Surgery,' and providing penalties for the violation of this act 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.

D. O. NUGENT, *Chairman*.

We concur in this report: H. L. Nelson, Edmund J. Miller, Paul G. Thomas, Earl Maxwell, G. B. Kerstetter, Kathryn E. Malstrom, Horace E. Smith.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 148, entitled: "An Act relating to narcotics; defining terms; regulating the sale, possession, traffic in and use thereof; providing for certain licenses and fixing fees; defining certain crimes; prescribing penalties and repealing all laws in conflict herewith," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

D. O. NUGENT, *Chairman*.

We concur in this report: H. L. Nelson, Edmund J. Miller, Paul G. Thomas, Earl Maxwell, G. B. Kerstetter, Kathryn E. Malstrom, Horace E. Smith.

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

The Committee on Agriculture recommended that Senate Bill No. 115 do pass with certain amendments.

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

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs reported out Senate Bill No. 129 without recommendation.

A minority of the Committee on Medicine, Dentistry, Pure Food and Drugs reported out Senate Bill No. 129 with the recommendation that it 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 23, 1935.

*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. 10: "An Act relating to elections, providing for electors of president and vice-president of the United States and the method of voting for the same, amending Section 17 of Chapter XIII (13) of the Laws of 1889-90, page 406, as amended by Chapter CVI (106), of the Laws of 1891, as amended by Section 4 of Chapter CLVI (156) of the Laws of 1895, and as amended by Chapter LXXXIX (89) of the Laws of 1901, and amending Section 4 of Chapter 58 of the Laws of 1913, page 180, and amending Section 7 of Chapter 58 of the Laws of 1913, page 182, as amended by Section 2 of Chapter 114 of the Laws of 1915, page 325, and as amended by Section 6 of Chapter 178 of the Laws of 1921, page 703, and amending Section 14 of Chapter 58 of the Laws of 1913, page 191, as amended by Section 8 of Chapter 114 of the Laws of 1915, page 332, and repealing Section 2 of Chapter CXLVIII (148) of the Laws of 1891, page 364."

Senate Bill No. 56: "An Act relating to the application of monies received by the state under the provisions of Section 191, Title 30, United States Code, Annotated, and under Section 810, Chapter 12, Title 16, Conservation, as contained in the United States Code, Annotated."

Very truly yours,

RICHARD HAMILTON,  
*Secretary to the Governor.*

The Secretary read:

**MESSAGES FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 354; also Engrossed House Bill No. 434; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 23, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 259; also Engrossed House Bill No. 194; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Concurrent Resolution No. 14; House Bill No. 154 and House Bill No. 192.

**INTRODUCTION OF BILLS.**

**Senate Bill No. 288**, by Senator Malstom, entitled: "An Act relating to State Road No. 14 or the Navy Yard Highway, establishing a branch thereof and amending Section 13 of Chapter 185 of the Laws of 1923."

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 Roads and Bridges.

**Senate Bill No. 289**, by Senator Malstrom, entitled: "An Act relating to State Road No. 2 or the Sunset Highway, establishing a branch thereof and

amending Section 2 of Chapter 185 of the Laws of 1923, as amended by Section 7 of Chapter 26 of the Laws of 1925."

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 Roads and Bridges.

**Senate Bill No. 290**, by Senator Orndorff, entitled: "An Act permitting unified licensed professional and vocational groups to form associations or societies for the purpose of governing and regulating their callings and taking over the powers now granted to the director of licenses."

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 Committee on Rules and Joint Rules (by departmental request), entitled: "An Act allocating a portion of receipts in the Motor Vehicle Fund to the State Park and Parkway Fund and making an appropriation."

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 Roads and Bridges.

**Senate Bill No. 292**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to the duties of the State Parks Committee; providing for the condemnation of timbered areas bordering upon state highways and making an appropriation therefor."

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 Roads and Bridges.

**Senate Bill No. 293**, by Senators Ryan (J. H.), Malstrom, Metcalf and Kerstetter, entitled: "An Act relating to liens for delinquent charges for water and electric energy furnished by cities, and amending Section 1 of Chapter 161 of the Laws of 1909, as amended by Section 1 of Chapter 135 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Ryan (J. H.), 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. 294**, by Senator Lovejoy, entitled: "An Act relating to initiative and referendum laws of the State of Washington; amending Sections 10, 15, 16, 18 and 28 of Chapter 138 of Laws of 1913 as amended by Chapter 144 of Laws of 1933."

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 Elections and Privileges.

**Senate Bill No. 295**, by Senators Garrett, Thein and Bengtson, entitled: "An Act relating to game animals, providing for the possession of deer, elk, and bear during the closed seasons, providing regulations and fees therefor, and providing penalties."

The bill was read the first time, and on motion of Senator Garrett 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. 296**, by Senator Gannon (by request), entitled: "An Act relating to local improvement districts, and providing that local improvement district bonds be used in payment of delinquent assessments and/or in redemption of property sold for delinquent assessments."

The bill was read the first time, and on motion of Senator Gannon 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. 297**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state for public works projects."

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. 298**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act relating to public utilities owned by cities and towns providing for submission to voters of systems or plans proposed and amending Section 2 of Chapter 150, Session Laws of 1909, as amended by Section 2 of Chapter 53, Session Laws of 1931 (Section 9489, Remington's Revised Statutes of Washington)."

The bill was read the first time, and on motion of Senator Peirce 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. 299**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act simplifying the procedure for the construction and financing of public works projects by municipalities, enabling municipalities to make and perform contracts with federal agencies relating to the construction and financing of such projects and conferring additional powers upon municipalities; and declaring an emergency."

The bill was read the first time, and on motion of Senator Steele 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. 300**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act creating the rural electrification authority of Washington for the purpose of promoting and encouraging the fullest possible use of electric energy in the state by making electric energy available to certain inhabitants of the state at the lowest cost consistent with sound economy and prudent management; authorizing the authority to sell and distribute electric energy and to construct or otherwise acquire a system or systems for the generation, transmission and distribution of electric energy to carry out the purposes of this act; providing for the rights, powers, and duties of the authority; authorizing and regulating the issuance of bonds by the authority; providing for the payment of such bonds and the rights of the holders thereof; providing for the taxation of the authority under the same terms and conditions as municipally-owned electric light plants and systems are taxed; making appropriation to finance the preliminary expenses of the authority; and declaring an emergency."

The bill was read the first time, and on motion of Senator Peirce 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. 301**, by Senator Steele, entitled: "An Act relating to the organization of boards of directors of union high school districts, and amending Section 4756 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Steele 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 Senator McAulay, entitled: "An Act relating to control, management and leasing of certain lands owned or held in trust by the State of Washington; prescribing the powers and duties of state officers in relation thereto; prohibiting certain acts in relation thereto, and providing penalties; establishing a public policy, and declaring an emergency, and providing 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 State Granted, School and Tide Lands.

**Senate Bill No. 303**, by Senator Orndorff, entitled: "An Act relating to taxation, allowing deduction in the assessment of homes, exempting homes from levy, distraint or seizure, except in certain cases, and providing penalties."

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 Public Welfare and Unemployment Relief.

**Senate Bill No. 304**, by Senator Duggan, entitled: "An Act relating to liens for delinquent charges for water and electric energy furnished by cities, and amending Section 1 of Chapter 191 of the Laws of 1909 as amended by Section 1 of Chapter 135 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 Public Utilities.

**Engrossed House Bill No. 194**, by Representative Bice, entitled: "An Act relating to schools and providing for a holiday."

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 Education.

**Engrossed House Bill No. 259**, by Representative Boyle, entitled: "An Act relating to free public libraries, creating a board for the certification of librarians and defining its powers, prescribing penalties, and repealing Sections 8226 to 8246 and Sections 9211 and 9212 of Remington's Revised Statutes and other acts and parts of acts inconsistent herewith."

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

**House Bill No. 352**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to local im-

provement assessments against lands owned by the State of Washington and permitting the sale of such lands without collection of such assessments."

The bill was read the first time, and on motion of Senator Thein 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. 353**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to oyster lands and repealing Chapter XXIV (24) and XXV (25) of the Laws of 1895, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Thein 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. 354**, by Committee on Compensation and Fees for State and County Officers, entitled: "An Act relating to fees to be charged by certain officers for solemnizing marriages and providing a penalty for any violation thereof."

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 Compensation and Fees for State and County Officers.

**House Bill No. 372**, by Committee on Reclamation and Irrigation, entitled: "An Act authorizing and directing the commissioner of public lands to grant to the Wenatchee Reclamation District the right to overflow certain shore lands for reservoir purposes."

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 Reclamation, Irrigation, Dikes, Drains and Ditches.

**Engrossed House Bill No. 434**, by Committee on Game and Game Fish, entitled: "An Act providing for and regulating the payment of certain bounties for the killing of certain predatory animals and defining the duties of the director of game in connection therewith; providing for certain additional license fees; making an appropriation and declaring an emergency."

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

#### GENERAL FILE.

**Substitute Senate Bill No. 155**, by Committee on Agriculture, entitled: "An Act declaring the existence of a state and national agricultural emergency; declaring the policy of the legislature; providing for the regulation and control of the production, storage, transportation, industrial advertising, merchandising, price and distribution of agricultural commodities; approving and adopting the provisions of the National Agricultural Adjustment Act and any marketing agreement or license approved or prescribed by the Secretary of Agriculture of the United States; defining marketing agreements; regulating the purchase of agricultural commodities by the state or its subdivisions; establishing standards of fair competition; empowering the Director of Agriculture, with the approval of the Governor, to adopt or prescribe marketing agreements, to make rules and regulations to control the

production, storage, transportation, industrial advertising, merchandising, sale and distribution of agricultural commodities, and to issue, suspend or revoke licenses licensing persons handling or processing agricultural products; designating the persons entitled to licenses; granting jurisdiction to courts for the enforcement of this act and marketing agreements approved or prescribed hereunder; making it unlawful for any person to engage in handling, retailing, processing or wholesaling agricultural products without a license; fixing license fees; making an appropriation for the administration of this act; defining agricultural commodities; and declaring that this act shall take effect immediately," was read the third time.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole, to consider Substitute Senate Bill No. 155.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and the committee reported progress to the Senate and asked leave to sit again.

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

On motion of Senator Murfin, the call of the Senate was dispensed with.

At 12:05 o'clock p. m., on motion of Senator Murfin, the Senate recessed until 7:30 o'clock p. m.

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### EVENING SESSION.

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The Senate reconvened at 7:30 o'clock p. m., President Meyers in the Chair.

On motion of Senator Garrett, the Senate referred back to the second order of business in order to receive committee reports.

The Secretary read:

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Initiative Measure No. 2 to the Legislature, entitled: "An Act relating to primary elections, providing for a Blanket Primary Ballot, amending Sections 5185, 5189 and 5195 of Remington's Compiled Statutes of 1932, and repealing all laws in conflict therewith," have compared same with the Engrossed Initiative and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Municipal Corporations Other Than First Class, to whom was referred Engrossed House Bill No. 267, entitled: "An Act relating to civil service in cities and towns and creating a board of civil service commissioners in cities having a fully paid fire department and providing a civil service system based upon ex-

amination, investigation as to merit, efficiency and fitness for appointment, employment and promotion of all officers and men appointed in said fire departments; and regulating the transfer, reinstatement, suspension and discharge of said officers and firemen and making the act inapplicable to certain cities and towns," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. *EARL MAXWELL, Chairman.*

We concur in this report: John H. Ferryman, J. P. Keller, Paul Mehner, Fred Norman, F. G. Barnes.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on State Library, to whom was referred Engrossed House Bill No. 259, entitled: "An Act relating to free public libraries, creating a board for the certification of librarians and defining its powers, prescribing penalties, and repealing Sections 8226 to 8246 and Sections 9211 and 9212 of Remington's Revised Statutes and other acts and parts of acts inconsistent herewith," 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: W. G. Ronald, E. L. Brunton, D. E. McMillan, Mary Farquharson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 213, entitled: "An Act relating to the relief of Joint Drainage Improvement District No. 7, providing for payment of assessments with interest on state lands located therein, 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. *KATHRYN E. MALSTROM, Acting Chairman.*

We concur in this report: Scott M. Ryan, E. L. Brunton, W. C. Dawson, J. A. Murphy, G. B. Kerstetter, Chas. H. Todd, D. O. Nugent, Ed. Peirce.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 266, entitled: "An Act relating to the department of conservation and development of the State of Washington, providing for disposition of moneys received by the State of Washington from certain fees, providing that the same be paid into the state reclamation revolving fund and amending Section 3 of Chapter 105, Laws of 1929, same being Section 11575-3 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. *KATHRYN E. MALSTROM, Acting Chairman.*

We concur in this report: Geo. A. Lovejoy, J. Drumheller, D. O. Nugent, Chas. H. Todd, G. B. Kerstetter, E. L. Brunton, W. C. Dawson.

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

A part of the Committee on Revenue and Taxation recommended that Senate Bill No. 3 do pass as amended.

A part of the Committee on Revenue and Taxation recommended that Senate Bill No. 3 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 25, 1935.

*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. 111: "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 State Institutions, and declaring this act shall take effect immediately."

Yours very truly,

RICHARD HAMILTON,  
*Secretary to the Governor.*

The President signed Initiative No. 2 to the Legislature.

**Substitute Senate Bill No. 155:**

The Senate proceeded with the further consideration of Substitute Senate Bill No. 155.

Senator Ferryman moved that Substitute Senate Bill No. 155 be made a special order of business for 11:00 o'clock a. m. Thursday.

Senators Murphy (Kebel), Maxwell and Ronald demanded a call of the Senate.

A call of the Senate was ordered.

The Secretary called the roll on the call of the Senate, all members being present except Senator Drumheller.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

On motion of Senator Mehner, the Senate proceeded under the call of the Senate.

The motion by Senator Ferryman lost.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to further consider Substitute Senate Bill No. 155.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass with the following amendments:

Strike all words after the semi-colon in line 29, page 2, down to and including the words "processors and handlers," and substitute in lieu thereof the following words: "and the producers, distributors and consumers shall have equal representation."

Amend Section 7, page 5, line 4 of the printed bill by adding after the word "products" and before the words "to be" the following words: "by volume and fifty-one (51%) per cent of the producers by number."

Amend Section No. 16, page 7, line 39 of the printed bill, before the word "receipts" insert the word "actual."

Amend Section 17, being line 44 of page 7 of the printed bill, by striking the word "oysters," between the words "nurserystock" and "suger" and inserting in lieu thereof "that branch of the oyster industry known as Pacific (*Ostrea gigas*) oysters,".

Amend Section No. 19, line 28 of the printed bill after the word "locations." strike out the period (.) and insert in lieu thereof a "colon (:)" and add the following: "*Provided Further*, That nothing in this act shall be construed as regulating or pre-

venting the practice of 'Welcome Wagon Service' in incorporated cities and towns in the State of Washington."

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

Senator Peirce 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 Title: in line 17 after word "fees" strike semicolon and insert the following: "and repealing Chapter 12, Laws Extraordinary Session 1933 ;".

The motion by Senator Reardon lost.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 155, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas—36.

Those voting nay were: Senators Dailey, Duggan, Ferryman, Lovejoy, Miller, Morrow, Norman, Todd—8.

Absent or not voting: Senators Drumheller, Worum—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 Maxwell gave notice that at the proper time tomorrow he would move to reconsider the vote by which Substitute Senate Bill No. 155 passed the Senate.

Senator Miller entered the following protest:

"On account of the fact that both parties definitely pledged themselves against the Washington Agricultural Adjustment Act in their platform, I am entering this protest of the act of both the Republican and Democratic Senators."

On motion of Senator Todd, the further call of the Senate was dispensed with.

At 10:08 o'clock p. m., on motion of Senator Maxwell, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FORTY-FOURTH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, February 26, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Elmer M. Johnson, of the Gloria Dei Lutheran Church of Olympia, offered prayer.

The secretary called the roll, all members being present except Senator Worum, who was excused.

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

The Secretary read:

#### SENATE JOINT MEMORIAL.

Senate Joint Memorial No. 23, by Senator Tewksbury: "Relating to air bases on the North Pacific Coast of the United States of America."

On motion of Senator Tewksbury, the rules were suspended, the memorial 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 Memorial No. 23, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Steele, Stinson, Tewksbury, Thein—35.

Those voting nay were: Senators Farquharson, Ferryman, Kyle, Murfin, Murphy (Kebel), Ryan (Scott M.), Thomas, Todd—8.

Absent or not voting: Senators Reardon, Smith, Worum—3.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Public Welfare and Unemployment Relief, to whom was referred Senate Bill No. 7, entitled: "An Act providing for the creation of an old age pension commission, creating an old age pension fund, providing for the deposit of certain money therein, and the expenditure thereof, amending Sections 1, 2, 6, 7 and 12 of Chapter 29 of the Session Laws of 1933, and amending Section 9 of Chapter 55, Session Laws of 1933, repealing all Acts or parts of Acts in conflict with 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. JAMES A. MURPHY, *Chairman*.

We concur in this report: Keiron W. Reardon, Scott M. Ryan, J. H. Ryan, Paul G. Thomas, J. P. Keller, Ed. Peirce, James Dailey.

On motion of Senator Murphy (James A.), the report of the committee was received and the bill was placed on general file.

The Committee on Agriculture recommended that Senate Joint Resolution No. 19 do pass with certain amendments.

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

A majority of the Committee on Public Utilities recommended that Senate Bill No. 156 do pass as amended.

A minority of the Committee on Public Utilities recommended that Senate Bill No. 156 do not pass.

The reports of the committee, together with the bill, were placed on general file.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 305**, by Committee on Appropriations, 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, 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, 1935, and ending March 31, 1937, except as otherwise provided, and providing 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. 306**, by Senator Thomas, entitled: "An Act relating to constructive contempt and granting the accused the right of trial by jury and change of judge, and amending Section 1052, 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. 307**, by Senator Reardon, entitled: "An Act relating to the Department of Business Control and authorizing said department to purchase or lease certain lands."

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. 308**, by Senator Shorett, entitled: "An Act authorizing cities of the first class to borrow money for corporate purposes on promissory notes."

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 Cities of the First Class.

**Senate Bill No. 309**, by Senator Gannon, entitled: "An Act relating to education, providing for the creation of a State School Equalization Fund and making provisions for administration of the same."

The bill was read the first time, and on motion of Senator Gannon 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. 310**, by Senator Tewksbury, entitled: "An Act relating to water and water power districts and amending Section 11588, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Tewksbury 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. 311**, by Senator Ferryman, entitled: "An Act transferring money in the domestic animal protection fund and wild animal account or fund to the current expense fund of the county; 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 Appropriations.

**Senate Bill No. 312**, by Committee on Commerce and Manufacturing, entitled: "An Act creating a committee to be known as 'The Committee on Water and Air Pollution,' defining its powers and duties; designating its membership; providing penalties for violations of provisions hereof and making an appropriation."

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

**Senate Bill No. 313**, by Senator Nugent, entitled: "An Act relating to the production, manufacturing, processing, distribution, sale, handling and serving of food for human consumption; defining the powers and duties of certain officers in relation thereto; prescribing penalties for the violation thereof; and establishing a sanitary code."

The bill was read the first time, and on motion of Senator Nugent 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. 314**, by Committee on Rules and Joint Rules (by request of State Parks Committee and Department of Public Service), entitled: "An Act relating to railroad and highway crossings and to the changing and elimination of grade crossings and separations; amending Sections 10513, 10514, 10515, 10516, 10517, 10523 and 10524, and repealing Sections 10518 and 10519, 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, ordered printed and referred to the Committee on Judiciary.

On motion of Senator Lovejoy, Substitute Senate Bill No. 87 was referred to the Committee on Liquor Control.

## GENERAL FILE.

**Senate Bill No. 166:**

Senator Thomas moved that Senate Bill No. 166 be indefinitely postponed.

Senators Ryan (J. H.), Lovejoy, Kyle, Shorett, Thomas, Ryan (Scott M.) and Roland demanded a roll call on the motion by Senator Thomas.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Thomas and it lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Mehner, Miller, Morrow, Murphy (Kebel), Nelson, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—18.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Metcalf, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—27.

Absent or not voting: Senator Worum—1.

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,

OLYMPIA, WASH., February 15, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 166, entitled: "An Act creating in the Washington State Patrol a division of criminal identification, investigation, and statistics," 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 9, being line 4 of page 4 of the original bill, the same being line 2 of page 3 of the printed bill, by striking the figure "6" between the words "section" and "hereof" and inserting in lieu thereof the figure "7."

Amend Section 9, being line 10 of page 4 of the original bill, the same being line 7 of page 3 of the printed bill, by striking the figures "3, 4, 5 and 6" between the words "sections" and "hereof" and inserting in lieu thereof the figures "4, 5, 6 and 7."

Amend Section 11, being line 27 of page 4 of the original bill, the same being line 20 of page 3 of the printed bill, by striking the figure "3" between the words "section" and "hereof" and inserting in lieu thereof the figure "4."

Amend Section 12, being line 5 of page 5 of the original bill, the same being line 27 of page 3 of the printed bill, by striking the figure "10" between the words "section" and "hereof" and inserting in lieu thereof the figure "11."

Amend Section 12, being line 7 of page 5 of the original bill, the same being line 28 of page 3 of the printed bill, by striking the figure "10" after the word "section" and inserting in lieu thereof the figure "11."

Amend Section 14, being line 16 of page 5 of the original bill, the same being line 34 of page 3 of the printed bill, by striking the figure "3" between the words "section" and "hereof" and inserting in lieu thereof the figure "4."

Amend Section 15, being line 29 of page 5 of the original bill, the same being line 2 of page 4 of the printed bill, by striking the figure "13" between the words "section" and "hereof" and inserting in lieu thereof the figure "14."

Amend Section 19, being line 31 of page 6 of the original bill, the same being line 26 of page 4 of the printed bill, by striking the figures "3, 4, 5, and 6" between the words "sections" and "and" and inserting in lieu thereof the figures "4, 5, 6, and 7."

Amend Section 22, being line 16 of page 7 of the original bill, the same being line 38 of page 4 of the printed bill, by striking the figures "3, 4, 5, and 6" between the words "sections" and "hereof" and inserting in lieu thereof the figures "4, 5, 6, and 7."

Amend Section 22, being line 20 of page 7 of the original bill, the same being line 42 of page 4 of the printed bill, by striking the figures "3, 4, 5, and 6" after the word "sections" and inserting in lieu thereof the figures "4, 5, 6, and 7."

Amend Section 22, being line 22 of page 7 of the original bill, the same being line 43 of page 4 of the printed bill, by striking the figure "8" between the words "section" and "hereof" and inserting in lieu thereof the figure "9."

E. N. STEELE, *Chairman.*

We concur in this report: A. M. Murfin, Geo. F. McAulay, E. L. Brunton, Fred S. Duggan, Judson W. Shorett, James A. Murphy, John F. Worum, Chas. H. Todd.

SENATE CHAMBER,

MR. PRESIDENT: OLYMPIA, WASH., February 15, 1935.

We, a minority of your Committee on Judiciary, 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.*

I concur in this report: Ed. Peirce.

On motion of Senator Steele, the reports of the committee were received and the bill was read the third time.

Senator Thomas moved the adoption of the following amendment:

Amend Section 4, line 19: delete word "suspected" and replace with "proved."

The motion of Senator Thomas lost.

On motion of Senator Steele, the committee amendments were adopted.

On motion of Senator Murphy (James A.), the following amendment was adopted:

Amend Section 23; strike out in lines 5 and 6, page 5 of the printed bill, the words: "Such neglect or refusal shall also constitute malfeasance in office and shall subject such person to removal from office."

Senator Farquharson moved the adoption of the following amendment:

Amend Section 4, line 21, page 1, strike words "all vagrants."

The motion by Senator Farquharson lost.

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 Barnes, Bengtson, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Metcalf, Murfin, Murphy (James A.), Nugent, Orndorff, Ronald, Shorett, Smith, Steele, Tewksbury, Thein, Todd—24.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Mehner, Morrow, Nelson, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Stinson, Thomas—17.

Absent or not voting: Senators Maxwell, Miller, Murphy (Kebel), Norman, Worum—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. 147:**

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., February 15, 1935.

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 147, entitled: "An Act relating to short firearms and other weapons; defining terms; regulating the sale, possession and use thereof; providing for certain licenses

and fixing fees; defining certain crimes 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.

E. N. STEELE, *Chairman*.

We concur in this report: E. L. Brunton, A. M. Murfin, C. F. Stinson, Fred S. Duggan, Judson W. Shorett, James A. Murphy.

SENATE CHAMBER,  
OLYMPIA, WASH., February 15, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 147, 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*.

I concur in this report: Ed. Peirce.

On motion of Senator Steele, the reports of the committee were received and the bill was read the third time.

Senators Miller, Murphy (Kebel) and Peirce 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 except Senator Worum, who was excused.

On motion of Senator Roland, the Senate proceeded under the call of the Senate.

On motion of Senator Murphy (Kebel), the following amendment was adopted:

Amend Sec. 19, line 28 of the printed bill by correcting the spelling of the word "Marshalls" to read "Marshals."

Senator Kyle moved the adoption of the following amendment:

Amend Senate Bill No. 147 by striking Section 2 and all succeeding sections and substituting in lieu thereof the following:

SEC. 2. *Committing Crime When Armed*. If any person shall commit or attempt to commit a crime of violence when armed with a pistol, he may in addition to the punishment provided for the crime, be punished also as provided by this act.

SEC. 3. *Being Armed Prima Facie Evidence of Intent*. In the trial of a person for committing or attempting to commit a crime of violence, the fact that he was armed with a pistol and had no license to carry the same shall be *prima facie* evidence of his intention to commit said crime of violence.

SEC. 4. *Certain Persons Forbidden to Possess Arms*. No person who has been convicted in this state or elsewhere of a crime of violence, shall own a pistol or have one in his possession or under his control.

SEC. 5. *Carrying Pistol*. No person shall carry a pistol in any vehicle or concealed on or about his person, except in his place of abode or fixed place of business, without a license therefor as hereinafter provided.

SEC. 6. *Exceptions*. The provisions of the preceding section shall not apply to marshals, sheriffs, prison or jail wardens or their deputies, policemen or other law-enforcement officers, or to members of the army, navy or marine corps of the United States or of the National Guard or Organized Reserves when on duty, or to regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States or from this state, or to regularly enrolled members of clubs organized for the purpose of target shooting and affiliated with a national shooting organization: *Provided*, Such members are at or are going to or from their places of assembly or target practice, or to officers or employees of the United States duly authorized to carry a concealed pistol, or to any person engaged in the business of manufacturing, repairing, or dealing in firearms or the agent or representative of any such person having in his possession, using, or carrying a pistol in the usual or ordinary course of such business, or to any person while carrying a pistol unloaded and in a secure wrapper from the place of purchase to his home or place of business

or to a place of repair or back to his home or place of business or in moving from one place of abode or business to another.

SEC. 7. *Issue of Licenses to Carry.* The judge of a court of record, the chief of police of a municipality, the sheriff of a county, shall upon the application of any person issue a license to such person to carry a pistol in a vehicle or concealed on or about his person within this state for not more than one year from date of issue, if it appears that the applicant has good reason to fear an injury to his person or property, or has any other proper reason for carrying a pistol, and that he is a suitable person to be so licensed. The license shall be in triplicate, in form to be prescribed by the State Director of Licenses, and shall bear the name, address, description and signature of the licensee and the reason given for desiring a license. The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent by registered mail to the Director of Licenses and the triplicate shall be preserved for six years, by the authority issuing said license. The fee for such license shall be \$1.00 which shall be paid into the State Treasury.

SEC. 8. *Delivery to Minors and Others Forbidden.* No person shall deliver a pistol to any person under the age of eighteen or to one who he has reasonable cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard, or of unsound mind.

SEC. 9. *Sales Regulated.* No seller shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof, and, when delivered, said pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name, address, occupation, color, place of birth, the date and hour of application, the caliber, make, model and manufacturer's number of the pistol to be purchased and a statement that he has never been convicted in this state or elsewhere of a crime of violence. The seller shall within six hours after such application, sign and attach his address and forward by registered mail one copy of such statement to the chief of police of the municipality or the sheriff of the county of which the seller is a resident; the duplicate duly signed by the seller shall within seven days be sent by him with his address to the Director of Licenses; the triplicate he shall retain for six years. This section shall not apply to sales at wholesale.

SEC. 10. *Dealers to be Licensed.* No retail dealer shall sell or otherwise transfer, or expose for sale or transfer, or have in his possession with intent to sell, or otherwise transfer, any pistol without being licensed as hereinafter provided.

SEC. 11. *Dealer's Licenses, by Whom Granted and Conditions Thereof.* The duly constituted licensing authorities of any city, town, or political subdivision of this state shall grant licenses in forms prescribed by the Director of Licenses effective for not more than one year from date of issue permitting the licensee to sell pistols within this state subject to the following conditions in addition to those specified in Section 9 hereof, for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this act.

1. The business shall be carried on only in the building designated in the license.
  2. The license or a copy thereof, certified by the issuing authority, shall be displayed on the premises where it can easily be read.
  3. No pistol shall be sold (a) In violation of any provisions of this act, nor (b) shall a pistol be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity.
  4. A true record in triplicate shall be made of every pistol sold, in a book kept for the purpose, the form of which may be prescribed by the Director of Licenses and shall be personally signed by the purchaser and by the person effecting the sale, each in the presence of the other, and shall contain the date of sale, the caliber, make, model and manufacturer's number of the weapon, the name, address, occupation, color and place of birth of the purchaser and a statement signed by the purchaser that he has never been convicted in this state or elsewhere of a crime of violence. One copy shall within six hours be sent by registered mail to the chief of police of the municipality or the sheriff of the county of which the dealer is a resident; the duplicate the dealer shall within seven days send to the Director of Licenses; the triplicate the dealer shall retain for six years.
  5. No pistol or imitation thereof or placard advertising the sale thereof shall be displayed in any part of any premises where it can readily be seen from the outside.
- The fee for issuing said license shall be \$5.00 which fee shall be paid into the State Treasury.

SEC. 12. *Certain Transfers Forbidden.* No person other than a duly licensed dealer shall make any loan secured by a mortgage, deposit or pledge of a pistol. Any licensed dealer receiving a pistol as a deposit or pledge for a loan shall keep such records and make such reports as are provided by law for pawnbrokers and second-hand dealers in cities of the first class. A duly licensed dealer may mortgage any pistol or stock of pistols but shall not deposit or pledge the same with any other person. No person shall lend or give a pistol to another or otherwise deliver a pistol contrary to the provisions of this act.

SEC. 13. *False Information Forbidden.* No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity.

SEC. 14. *Alteration of Identifying Marks Prohibited.* No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification on any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed, or obliterated, shall be *prima facie* evidence that the possessor has changed, altered, removed, or obliterated the same.

SEC. 15. *Exceptions.* This act shall not apply to antique pistols unsuitable for use as firearms and possessed as curiosities or ornaments.

SEC. 16. *Penalties.* Any violation of any provision of this act constitutes an offense punishable by a fine of not more than \$500.00 or imprisonment for not more than 1 year in the county jail or both, or by imprisonment in the penitentiary for not less than 1 year nor more than 10 years.

SEC. 17. *Constitutionality.* If any part of this act is for any reason declared void, such invalidity shall not affect the validity of the remaining portions of this act.

SEC. 18. *Short Title.* This act may be cited as the "Uniform Firearms Act."

SEC. 19. *Uniform Interpretation.* This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

SEC. 20. *Effective Date.* This act shall take effect on the first day of July, 1935.

SEC. 21. *Certain Acts Repealed.* All laws or parts of laws inconsistent herewith are hereby repealed.

Senator Malstrom moved to amend the amendment of Senator Kyle as follows:

Amend Section 8, line 25: strike the words "eighteen" and insert the words "twenty-one."

The motion by Senator Malstrom to amend the amendment by Senator Kyle carried.

Senators Kyle, Miller, Maxwell, Ryan (J. H.), McMillan, Keller, Roland and Malstrom demanded a roll call on the motion by Senator Kyle.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Kyle, and the amendment was adopted by the following vote:

Those voting aye were: Senators Barnes, Dailey, Dawson, Drumheller, Duggan, Farquharson, Garrett, Keller, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Smith, Stinson, Tewksbury, Thein, Thomas, Todd—29.

Those voting nay were: Senators Bengtson, Brunton, Ferryman, Gannon, Kerstetter, Knutzen, Malstrom, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele—16.

Absent or not voting: Senator Worum—1.

Senators Maxwell, Peirce and Murphy (Kebel) demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 147, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Garrett, Keller, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Ryan (J. H.), Smith, Steele, Stinson, Tewksbury, Thein, Todd—30.

Those voting nay were: Senators Brunton, Ferryman, Gannon, Kerstetter, Knutzen, Malstrom, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (Scott M.), Shorett, Thomas—15.

Absent or not voting: Senator Worum—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 Ryan (J. H.) gave notice that at the proper time tomorrow, he would move to reconsider the vote by which Senate Bill No. 147 passed the Senate.

Senator Reardon gave notice that on the next legislative day he would move to amend the rules.

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

The House has passed Engrossed Substitute House Bill No. 46, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

The House has passed House Joint Memorial No. 30, also  
The House has adopted House Concurrent Resolution No. 15, also  
The Speaker has signed Initiative Measure No. 2 to the Legislature, also  
The Speaker has signed House Bill No. 255, also  
House Bill No. 321, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Shorett gave notice that on the next legislative day he would move to amend Rule No. 20.

The President signed House Bills Nos. 255 and 321.

Senate Bill No. 242, by Senators Murphy (J. A.), Dailey, Malstrom, Farquharson, Ryan (Scott M.) and Thomas, entitled: "An Act pensioning blind persons; providing funds for such purpose and providing penalties; and amending Sections 2, 3, 4, 7, 8 and 9 of Chapter 102 of Session Laws of 1933 and declaring an emergency," was read the third time.

Senator Bengtson moved the adoption of the following amendment:

Amend Section 9, line 10, strike word "shall" and insert word "may."

Senator Tewksbury moved that the rules be suspended and that the amendment by Senator Bengtson be laid on the table without taking the bill with it.

The motion by Senator Tewksbury carried.

The Secretary called the roll on the final passage of Senate Bill No. 242, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—45.

Absent or not voting: Senator Worum—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 Murphy (James A.), the rules were suspended and Senate Bill No. 242 was ordered immediately transmitted to the House.

At 12:25 o'clock p. m., on motion of Senator Ryan (J. H.), the Senate recessed until 1:45 o'clock p. m.

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**AFTERNOON SESSION.**

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The Senate reconvened at 1:45 o'clock p. m., President Meyers in the Chair.

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 169, entitled: "An Act relating to the opinion evidence of expert witnesses; requiring appointment of such witnesses by the court; providing procedure; fixing the fees of such witnesses and providing for the appointment of such witnesses in certain cases which have been tried, 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 not pass.

GEO. F. MCAULAY, *Acting Chairman.*

We concur in this report: E. N. Steele, Fred S. Duggan, Judson W. Shorett, C. F. Stinson, E. L. Brunton, Ralph Metcalf.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 236, entitled: "An Act relating to the foreclosure of mortgages on real property, granting relief from inequitable foreclosure, 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.

E. N. STEELE, *Chairman.*

We concur in this report: Judson W. Shorett, A. M. Murfin, H. I. Kyle, Geo. F. McAulay, Ed. Peirce, C. F. Stinson, Ralph Metcalf.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 270, entitled: "An Act relating to Water Districts, providing for the establishment and maintenance of Local Improvement Guaranty Funds, to be derived from a percentage of the gross revenue of the water supply system of the District, 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.

E. N. STEELE, *Chairman*.

We concur in this report: Fred S. Duggan, Ralph Metcalf, A. M. Murfin, C. F. Stinson, Judson W. Shorett, Geo. F. McAulay, Chas. H. Todd, H. I. Kyle, James A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 2, entitled: "An Act prescribing the limitations on criminal prosecutions and amending Section 2005, 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, *Acting Chairman*.

We concur in this report: A. M. Murfin, Ralph Metcalf, Fred S. Duggan, Judson W. Shorett, C. F. Stinson, Chas. H. Todd, E. N. Steele.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 22, entitled: "An Act relating to the platting, subdivision and dedication of land," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman*.

We concur in this report: A. M. Murfin, Ralph Metcalf, Fred S. Duggan, Judson W. Shorett, Geo. F. McAulay, Chas. H. Todd, C. F. Stinson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 173, entitled: "An Act granting attorneys at law power to take and certify verifications and other affidavits to be used in court," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman*.

We concur in this report: A. M. Murfin, Ralph Metcalf, Fred S. Duggan, Judson W. Shorett, C. F. Stinson, H. I. Kyle, Geo. F. McAulay, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Senate Bill No. 251, entitled: "An Act relating to the state militia, providing for organization, regulation, maintenance and discipline of the National Guard of Washington, and amending Section 62 of Chapter 134 of the Laws of 1909, the same being Section 8508

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.

GEO. A. LOVEJOY, *Chairman*.

We concur in this report: Paul Mehner, W. R. Orndorff, J. H. Ryan, L. E. Tewksbury, Horace E. Smith, D. O. Nugent, Chas. H. Todd, C. Nifty Garrett, J. M. Thein, S. C. Roland, G. B. Kerstetter, Joseph Drumheller.

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

A majority of the Committee on Judiciary recommended that House Bill No. 108 do pass.

A minority of the Committee on Judiciary recommended that House Bill No. 108 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senators Reardon, Kyle and Steele 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 except Senator Worum, who was excused.

On motion of Senator Reardon, the Senate proceeded under the call of the Senate.

#### GENERAL FILE.

**Senate Bill No. 261**, by Senators Miller, Morrow, Dailey, Kerstetter, Thomas, Gannon, Ryan (Scott M.), Nugent, Kyle, Maxwell, Garrett, Murphy (Kebel), Malstrom, Ryan (J. H.), Ferryman, Lovejoy, Roland, Murphy (J. A.), Mehner and Ronald, entitled: "An Act abolishing writs of garnishment in the superior courts and justice courts and repealing all sections and parts of sections in relation thereto and in conflict therewith; and declaring an emergency," was read the third time.

Senator Murfin moved the adoption of the following amendment:

Amend Section 1, line 2: strike the words "the superior courts and."

Senator Ryan (Scott M.) moved that the rules be suspended and that the amendment by Senator Murfin be laid on the table without taking the bill with it.

The motion by Senator Ryan (Scott M.) lost.

The motion by Senator Murfin lost.

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 Bengtson, Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Mehner, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—20.

Those voting nay were: Senators Barnes, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Metcalf, Miller, Murfin, Nelson, Norman, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd—25.

Absent or not voting: Senator Worum—1.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Miller gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 261 failed to pass the Senate.

**Engrossed House Joint Resolution No. 10:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

We, your Committee on Constitutional Revision, to whom was referred Engrossed House Joint Resolution No. 10: "Providing for amendment of the Constitution of the State of Washington by adding thereto Article XXVIII," 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 by striking the words "intent and" in line 1, page 2 of the printed resolution, which is line 31, page 2, of the original resolution, and insert in lieu thereof the word "primary."

Amend Section 3, by striking from lines 7 and 8, page 2, of the printed resolution, which are lines 9 and 10, page 3 of the original resolution, the words "authorizing sales by the state at retail, or as."

Amend Section 3, line 11, page 2, of the printed resolution which is line 15, page 3, of the original resolution, by adding, ", or to deny the state the right to engage in the development of rural electrification in conformity with broad public policy."

FRED S. DUGGAN, *Chairman.*

We concur in this report: H. I. Kyle, E. N. Steele, Ralph Metcalf, S. C. Roland, Mary U. Farquharson, Ed. Peirce, P. Frank Morrow, Paul G. Thomas.

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 Engrossed House Joint Resolution No. 10, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Thein, Thomas, Todd—34.

Those voting nay were: Senators Barnes, Brunton, Dawson, Garrett, Knutzen, McAulay, Murfin, Orndorff, Ronald, Smith, Tewksbury—11.

Absent or not voting: Senator Worum—1.

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

On motion of Senator Maxwell, the further call of the Senate was dispensed with.

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 353, entitled: "An Act relating to oyster lands and repealing chapter XXIV (24) and XXV (25) of the Laws of 1895, 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.

J. W. THEIN, *Chairman*.

We concur in this report: James Dalley, Paul Mehner, Edmund J. Miller, J. D. Bengtson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred House Bill No. 352, entitled: "An Act relating to local improvement assessments against lands owned by the State of Washington and permitting the sale of such lands without collection of such assessments," 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. THEIN, *Chairman*.

We concur in this report: J. D. Bengtson, Edmund J. Miller, Paul Mehner, James Dalley.

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

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 227, also Engrossed House Bill No. 295, and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

At 3:25 o'clock p. m., on motion of Senator Ryan (Scott M.), the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate*.

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**FORTY-FIFTH DAY**

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**MORNING SESSION.**

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SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, February 27, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Elmer M. Johnson of the Gloria Dei Lutheran Church of Olympia offered prayer.

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

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

Senators Miller, McMillan and Keller 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 except Senator Worum, who was excused.

On motion of Senator Steele, the Senate proceeded under the call of the Senate.

The Secretary read:

**House Joint Memorial No. 30**, by Representative McDonald (Donald A.): "Petitioning the Congress of the United States to amend the Federal narcotic laws, and more particularly the act of February 9, 1909, as amended by the act of January 17, 1914, entitled 'An act to amend an act entitled "An Act to prohibit the importation and use of opium for other than medicinal purposes," approved February 9, 1909,' as amended by the acts of May 26, 1922, and June 7, 1924, and providing for the deportation of any alien who is convicted of violating the narcotic laws of any of the several States of the Union."

The memorial was read the first time, and on motion of Senator Peirce the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

The Secretary read:

**House Concurrent Resolution No. 15**, by Representatives Adams and Ott: "Relating to a return ball to be given by the Legislature to the citizens of Olympia."

On motion of Senator Steele, the rules were suspended, the resolution read the second time by title, read the third time and placed on final passage.

The resolution was adopted.

On motion of Senator Roland, Senate Bill No. 218 was re-referred to the Committee on Public Utilities.

The Secretary read:

**REPORT OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 27, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 227, entitled: "An Act relating to taxation; providing for exemptions; repealing all acts and parts of acts in conflict therewith and declaring that the act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, D. E. McMillan.

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

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 166, entitled: "An Act creating in the Washington State Patrol a division of criminal identification, investigation, and statistics," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, Paul Mehner.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Substitute Senate Bill No. 155, entitled: "An Act declaring the existence of a state and national agricultural emergency; declaring the policy of the legislature; providing for the regulation and control of the production, storage, transportation, industrial advertising, merchandising, price and distribution of agricultural commodities; approving and adopting the provisions of the National Agricultural Adjustment Act and any marketing agreement or license approved or prescribed by the Secretary of Agriculture of the United States; defining marketing agreements; regulating the purchase of agricultural commodities by the state or its subdivisions; establishing standards of fair competition; empowering the Director of Agriculture, with the approval of the Governor, to adopt or prescribe marketing agreements, to make rules and regulations to control the production, storage, transportation, industrial advertising, merchandising, sale and distribution of agricultural commodities, and to issue, suspend or revoke licenses licensing persons handling or processing agricultural products; designating the persons entitled to licenses; granting jurisdiction to courts for the enforcement of this act and marketing agreements approved or prescribed hereunder; making it unlawful for any person to engage in handling, retailing, processing or wholesaling agricultural products without a license; fixing license fees; making an appropriation for the administration of this act; defining agricultural commodities; and declaring that this act shall take effect immediately," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, Paul Mehner.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate Bill No. 276, entitled: "An Act amending Section 4546 of Remington's Compiled Statutes providing for the establishment of special tuition fees in professional schools of the University 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.

JUDSON W. SHORETT, *Chairman*.

We concur in this report: H. I. Kyle, W. G. Ronald, A. M. Murfin, Edw. L. Brunton, Kathryn E. Malstrom, Mary U. Farquharson, Scott M. Ryan, Geo. H. Gannon.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, your Committee on Educational Institutions, to whom was referred Senate Bill No. 277, entitled: "An Act authorizing the Board of Regents of the University of Washington, the Board of Regents of the State College of Washington, and the Boards of Trustees of the State Normal Schools, to assist the faculties and other employees of these institutions in purchasing old age annuities," 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: H. I. Kyle, W. G. Ronald, A. M. Murfin, Edw. L. Brunton, Kathryn E. Malstrom, Mary U. Farquharson, Scott M. Ryan, Geo. H. Gannon.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 256, entitled: "An Act relating to fish and game and to concurrent jurisdiction of the states of Washington and Idaho over the Snake River where the same forms the boundary between Idaho and Washington for the purpose of enforcement of fish and game laws; prohibiting violation of the laws of such states 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, Earl Maxwell, J. W. Thein, Fred S. Duggan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Commerce and Manufacturing, to whom was referred House Bill No. 231, entitled: "An Act relating to the sale of certain articles and commodities, providing protection for trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles and commodities of standard quality under a distinguished trade mark, brand or name, 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.

W. C. DAWSON, *Chairman*.

We concur in this report: J. H. Ryan, Chas. H. Todd, J. Drumbheller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Engrossed House Bill No. 434, entitled: "An Act providing for and regulating the payment of certain bounties for the killing of certain predatory animals and defining the duties of the Director of Game in connection therewith; providing for certain additional license fees, 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.

GEO. F. MCAULAY, *Chairman.*

We concur in this report: Geo. H. Gannon, L. E. Tewksbury, Fred S. Duggan, J. W. Thein, D. E. McMillan, Earl Maxwell.

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

The Committee on Public Welfare and Unemployment Relief recommended that Senate Bill No. 303 do pass with certain amendments.

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

The Committee on Game and Game Fish recommended that Senate Bill No. 295 do pass with certain amendments.

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

The Committee on Legislative Apportionment recommended that Senate Bill No. 212 do pass with certain amendments.

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

The Secretary read:

#### REPORT OF SPECIAL COMMITTEE ON AUDITING.

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

TO THE SENATE:

We, your committee, appointed pursuant to Senate Concurrent Resolution No. 2 to simplify and strengthen the state auditing departments, as suggested by the Governor in his message to the Legislature, do respectfully report as follows:

That we have conferred jointly with the like committee appointed by the House of Representatives, and with the Governor, the Director of Efficiency, the State Auditor and the Attorney General, and considered at length the auditing systems now in effect in this state, and their defects and duplications, and as a result of such labors your committee, with the unanimous assent of the House Committee, has drafted two separate bills to remedy the auditing difficulties of the state. These bills have now been filed as Senate Bill Nos. 315 and 316, and as we believe make substantial improvements in the system with special regard for the rights and interests of the general public in the handling of state moneys, and incorporating the approved and accepted methods of accounting.

Senate Bill No. 315 provides for placing the burden of auditing all other offices and departments of the state in the jurisdiction of the state auditor, who is elected by the people with the general understanding that such is his province.

Senate Bill No. 316 establishes a system of budget control specially designed to enable the executive head of the state, and the public, to keep acquainted with the disposition of state moneys, and prevent as far as it is possible to do so any department from exceeding in its expenditures the moneys appropriated by the legislature for that purpose. This is designed to render unnecessary any future requests for deficiency appropriations.

With this submission of these two companion bills, this committee considers that it has completed its labors, and respectfully suggests that these bills be given preferential consideration by the Senate.

SPECIAL COMMITTEE ON AUDITING,

FRED S. DUGGAN, *Chairman*,  
E. L. BRUNTON.

So far as S. B. No. 315 is concerned, I assent.

So far as S. B. No. 316 is concerned, I dissent.

GEO. H. GANNON. }

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 27, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 289; also

Engrossed House Bill No. 320; also

Engrossed House Bill No. 400; also

House Bill No. 417; and the same are herewith transmitted

S. R. HOLCOMB, *Chief Clerk*.

**INTRODUCTION OF BILLS.**

**Senate Bill No. 315**, by Special Committee on Auditing, entitled: "An Act relating to the state government; defining the powers and duties of the state auditor; transferring certain duties of the director of efficiency relating to inspection and examination of public offices to the state auditor; providing for the audit of the office of state auditor; amending Section 5 of the Act of March 27, 1890, relating to the duties of the state auditor (Laws 1889-90, page 636; Rem. Rev. Stat., Sec. 11001); repealing Sections 7 and 8 of said act, and providing that the act shall take effect April 1, 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 Judiciary.

**Senate Bill No. 316**, by Special Committee on Auditing, entitled: "An Act relating to the state government and defining the powers and duties of certain officers thereof; providing for the filing of quarterly estimates with the division of budget by state offices, departments and institutions; prescribing limitations upon purchases by such offices, departments and institutions; amending Chapter 9, Laws of 1925, by adding a new section to be known as Section 8-a, and amending Chapter 2, Laws of 1931 by adding a new section to be known as Section 37-a and providing that the act shall take effect April 1, 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 Judiciary.

**Senate Bill No. 317**, by Senator Malstrom, entitled: "An Act relating to the education, training, care, custody and control of feeble-minded children and youth; for the establishment of an institution for such purpose; making an appropriation therefor and declaring an emergency."

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. 318**, by Senators Miller, Roland, Kerstetter, Tewksbury, Kyle, Thomas, Nugent, Ryan (J. H.), Maxwell and Ferryman, entitled: "An Act relating to the administration of the government of the state providing for the appointment of three members to constitute the Department of Public Service, and prescribing their powers and duties."

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

**Engrossed Substitute House Bill No. 46**, by Committee on Medicine, Dentistry, Pure Food and Drugs, entitled: "An Act defining and regulating the practice of dentistry, providing for the examination and licensing of dentists, providing an annual renewal of licenses and the payment of annual license renewal fees, providing for the revocation and suspension of licenses, creating the State Board of Dental Examiners and fixing its duties, defining reputable dental colleges, prescribing penalties and repealing Subsections 1 to 25 inclusive, of Section 10030 of Remington's Compiled Statutes, being Sections 1 to 25 inclusive, of Chapter 16 of the Session Laws of 1923, and declaring that this act is necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately."

The bill was read the first time, and on motion of Senator Nugent 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.

**Engrossed House Bill No. 295**, by Representatives Brown, Richmond (W. A.), Hall, Sandegren, Bohlke, Neal, Gessell, Wingrove, Strickland, Lynch, Wiswall, Cohen, McDonald (R. T.), Easterday, Parker, Skinner, Sullivan, Christianson, Leber, Ryan, Austin, Holt, Mackie, McDonnell, McDonald (D. A.), Huetter, Bowden, McDonald (J. D.), Klemgard, Jones, Adams and Keen, entitled: "An Act relating to the construction, maintenance and operation of a bridge and approaches thereto across Puget Sound within the County of Pierce, at or near a point commonly known as The Narrows; granting the consent of the State of Washington therefor to H. O. Scofield, Chairman of the Board of Pierce County Commissioners; Fred H. Marvin, Chairman of the Pierce County Port Commission, and George A. Smitley, Mayor of the City of Tacoma, and/or their legally elected or appointed successors in office; and granting a right of way therefor through, over and across the submerged and public lands of the State of Washington, and authorizing the filling in thereof."

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

The President signed Senate Bill No. 227.

#### GENERAL FILE.

**Engrossed House Bill No. 91**, by Representatives Adams, et al, entitled: "An Act relating to the sale of intoxicating liquors to Indians and repealing certain acts in relation thereto," was read the third time.

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 Barnes, Dailey, Drumheller, Duggan, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Maxwell, Mc-

Aulay, Miller, Murphy (James A.), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Smith, Thein, Todd—26.

Those voting nay were: Senators Bengtson, Brunton, Dawson, Farquharson, Ferryman, Malstrom, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (Kebel), Nelson, Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thomas—19.

Absent or not voting: Senator Worum—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. 21**, by Representative Smith (Jurie B.), entitled: "An Act relating to cities of the first class, authorizing such cities owning and operating public utilities to deal with and to contract with employees of such utilities and their accredited representatives, concerning wages, hours and conditions of labor therein," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 21, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas, Todd—26.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, McAulay, McMillan, Metcalf, Murfin, Orndorff, Ronald, Smith, Steele, Stinson, Thein—19.

Absent or not voting: Senator Worum—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.

**Engrossed House Bill No. 54**, by Representative Dixon, entitled: "An Act relating to rebating wages on public work, so as to specifically include within its terms any person who accepts or conspires to accept rebate from those performing services under contractors and subcontractors doing public work," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 54, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—40.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Knutzen—5.

Absent or not voting: Senator Worum—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.

**Engrossed Substitute House Bill No. 55:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Engrossed Substitute House Bill No. 55, entitled: "An Act relating to motor fuel and lubricants, providing for the purchase, sale, transportation, distribution and production thereof by the State of Washington; providing for the conservation of the potential supply thereof; establishing a Gasoline Revolving Fund; appropriating monies from the Motor Vehicle Fund as a loan to the Gasoline Revolving Fund; appropriating monies from the Gasoline Revolving Fund; providing for the issuance and sale of Gasoline Revenue Bonds and the application of the proceeds thereof; prescribing duties and powers of certain state officers; defining offenses, and prescribing penalties therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

ED. PEIRCE, *Chairman.*

We concur in this report: S. C. Roland, Paul G. Thomas, Kebel Murphy, J. H. Ryan, P. Frank Morrow.

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Public Utilities, to whom was referred Engrossed Substitute House Bill No. 55, 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, Ralph Metcalf.

On motion of Senator Peirce, the reports of the committee were received.

Senator Tewksbury moved that Engrossed Substitute House Bill No. 55 be made a special order of business for Saturday at 11:00 o'clock a. m.

Senators Norman, Lovejoy, Steele, McAulay, Keller, Tewksbury, Shorett and Dawson demanded a roll call on the motion by Senator Tewksbury.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Tewksbury, and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Knutzen, Kyle, Malstrom, Mehner, Miller, Morrow, Murphy (James A.), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—20.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Lovejoy, Maxwell, McAulay, McMillan, Metcalf, Murfin, Murphy (Kebe), Norman, Nugent, Orndorff, Rear-don, Ronald, Smith, Steele, Stinson, Thein, Todd—25.

Absent or not voting: Senator Worum—1.

On motion of Senator Ferryman, the Senate resolved itself into a committee of the whole to consider Engrossed Substitute House Bill No. 55.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do not pass.

Senator Peirce moved that the report of the committee be adopted.

Senator Miller moved that the motion by Senator Peirce be laid on the table.

The motion by Senator Miller lost.

Senators Ryan (J. H.), Miller, Kerstetter, Murfin, Kyle, Tewksbury, Murphy (James A.) and Lovejoy demanded a roll call on the motion by Senator Peirce.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Peirce for the adoption of the report and the motion carried by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd—27.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Knutzen, Kyle, Malstrom, Miller, Morrow, Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—18.

Absent or not voting: Senator Worum—1.

Senator Drumheller moved that Engrossed Substitute House Bill No. 55 be indefinitely postponed.

Senators Norman, Dawson, Drumheller, Duggan, Murphy (James A.), Kyle, Todd and Shorett demanded a roll call on the motion by Senator Drumheller.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd—31.

Those voting nay were: Senators Dailey, Farquharson, Kerstetter, Kyle, Malstrom, Morrow, Murphy (Kebel), Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—14.

Absent or not voting: Senator Worum—1.

Senator Murphy (James A.) gave notice that at the proper time tomorrow he would move to reconsider the vote by which Engrossed Substitute House Bill No. 55 was indefinitely postponed.

On motion of Senator Ryan (J. H.), the further call of the Senate was dispensed with.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 27, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 227; and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

At 2:05 o'clock p. m. on motion of Senator Drumheller, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FORTY-SIXTH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Thursday, February 28, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Elmer M. Johnson of the Gloria Dei Lutheran Church of Olympia offered prayer.

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

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

Senator Miller moved to reconsider the vote by which Senate Bill No. 261 failed to pass the Senate.

The motion for reconsideration lost.

Senator Murphy (James A.) moved to reconsider the vote by which the motion to indefinitely postpone Engrossed Substitute House Bill No. 55 carried.

Senator Drumheller moved that the motion to reconsider be laid on the table.

The motion to lay on the table carried.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 27, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 311, entitled: "An Act transferring money in the domestic animal protection fund and wild animal account or fund to the current expense fund of the county; 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.

KATHRYN E. MALSTROM, *Acting Chairman.*

We concur in this report: Scott M. Ryan, W. C. Dawson, G. B. Kerstetter, D. O. Nugent, J. A. Murphy, John H. Ferryman, Ed. Peirce.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Senate Bill No. 237, entitled: "An Act authorizing the expenditure of funds from the Liquor Revolving Fund by the Washington State Liquor Control Board in the construction of an office building on 'Capitol Place' in Olympia, Washington," 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. O. Nugent, L. E. Tewksbury, G. B. Kerstetter, C. Nifty Garrett, W. R. Orndorff, E. N. Steele, J. Drumheller, Chas. H. Todd, J. W. Thein, S. C. Roland, Paul Mehner, J. H. Ryan, Horace E. Smith.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Municipal Corporations Other Than First Class, to whom was referred Senate Bill No. 39, entitled: "An Act relating to and providing for the issuance by any incorporated city or town in the State of Washington of special fund bonds for the purpose of funding or refunding outstanding warrants or bonds issued for the purpose of purchasing, acquiring or constructing certain public utilities or for making additions and betterments thereto or extensions 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 Substitute Senate Bill No. 39 be substituted therefor and that it do pass.

EARL MAXWELL, *Chairman*.

We concur in this report: John H. Ferryman, F. G. Barnes, J. P. Keller, Fred Norman.

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

The Committee on State Granted, School and Tide Lands recommended that Senate Bill No. 255 do pass with certain amendments.

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

The Committee on Liquor Control recommended that Substitute Senate Bill No. 87 do pass with certain amendments.

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

A majority of the Committee on Appropriations recommended that Senate Bill No. 97 do pass as amended.

A minority of the Committee on Appropriations recommended that Senate Bill No. 97 do not pass as amended.

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 26, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 148; and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 319**, by Senators Brunton, Ryan (Scott M.), Gannon, Nelson, Shorett, Garrett, Orndorff, entitled: "An Act relating to the payment of retained pay for enlisted men of the National Guard and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Brunton 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. 320**, by Senator Tewksbury (by request), entitled: "An Act relating to the regulation and control of waters within the State of Washington and rights to the use thereof, providing for the setting aside of non-navigable streams for domestic and municipal use and supply, withdrawing said streams from future appropriation, except as herein provided,

amending Section 7351, Remington's Revised Statutes of the State of Washington,\*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 Tewksbury 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. 321**, by Senator Tewksbury (by request), entitled: "An Act relating to the consolidation of Water Districts."

The bill was read the first time, and on motion of Senator Tewksbury 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. 322**, by Senator Nugent, entitled: "An Act to establish a Central Personnel Agency to co-ordinate all enforcement agencies of the state, and of the counties and cities; and to regulate the civil service of the state, and of the counties and cities."

The bill was read the first time, and on motion of Senator Nugent 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. 148**, by Representative Herren, entitled: "An Act relating to the manufacture and sale of wine, providing for the licensing of wineries and the taxation of wine, and amending Chapter 62, Laws of the Extraordinary Session, 1933, entitled: 'An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds 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.

**House Bill No. 289**, by Representative Adams (by departmental request), entitled: "An Act making a deficiency appropriation for bounties on seals from the Fisheries Fund and declaring an emergency."

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

**Engrossed House Bill No. 320**, by Representative Edwards, entitled: "An Act making appropriations for the relief of certain persons named therein."

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 on Appropriations.

**Engrossed House Bill No. 400**, by Judiciary Committee, entitled: "An Act relating to the extradition of persons charged with crime, and to make uniform the law with reference thereto."

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 Judiciary.

**House Bill No. 417**, by Representative Adams, entitled: "An Act relating to the taking and reduction of pilchards."

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

**Substitute Senate Bill No. 39**, by Committee on Municipal Corporations Other Than First Class, entitled: "An Act relating to and providing for the issuance by any incorporated city or town in the State of Washington of special fund bonds for the purpose of funding or refunding outstanding warrants or bonds issued for the purpose of purchasing, acquiring or constructing certain public utilities or for making additions and betterments thereto or extensions thereof; and declaring that this act shall take effect immediately."

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

#### GENERAL FILE.

**Engrossed House Bill No. 267**, by Representative Hurley, entitled: "An Act relating to civil service in cities and towns and creating a board of civil service commissioners in cities having a fully paid fire department and providing a civil service system based upon examination, investigation as to merit, efficiency and fitness for appointment, employment and promotion of all officers and men appointed in said fire departments; and regulating the transfer, reinstatement, suspension and discharge of said officers and firemen and making the act inapplicable to certain cities and towns," was read the third time.

Senator Peirce moved that Engrossed House Bill No. 267 be indefinitely postponed.

Senators Thomas, Kyle, Miller, Kerstetter, Mehner, Ryan (J. H.), Dailey and Gannon demanded a roll call on the motion by Senator Peirce.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Peirce and the motion lost by the following vote:

Those voting aye were: Senators Dawson, Murphy (Kebel), Orndorff, Peirce, Reardon—5.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—39.

Absent or not voting were: Senators Nugent, Worum—2.

Senator Duggan moved the adoption of the following amendment:

Amend Section 6, at line 26, by striking the words "six (6) months" and insert in lieu thereof the words "two (2) years."

Senator Murphy (James A.), moved that the rules be suspended, and that the amendment by Senator Duggan be laid on the table without taking the bill with it.

The motion by Senator Murphy (James A.) carried.

On motion of Senator Lovejoy, the following amendment was adopted:

Amend Section 22, page 9, line 3 of the printed bill by striking all of lines 3 and 4 and that part of line 5 up to and including the words "shall be" and substitute therefor the following: "For the purpose of carrying out the provisions of this act, such city, town or municipality is hereby authorized to appropriate from the general fund not to exceed".

On motion of Senator Steele the following amendment was adopted:

Amend the bill by striking all sub-titles.

The Secretary called the roll on the final passage of Engrossed House Bill No. 267, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—34.

Those voting nay were: Senators Brunton, Dawson, Drumbheller, Duggan, Garrett, Murfin, Nelson, Peirce, Reardon, Smith—10.

Absent or not voting: Senators Keller, Worum—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. 108**, by Representative Yantis, entitled: "An Act relating to city, town, county and regional planning and the creation, organization, duties and powers of planning commissions."

Senator Murphy (James A.) moved that Engrossed House Bill No. 108 be re-referred to the Committee on Public Welfare and Unemployment Relief.

The motion lost.

Senator Duggan moved that Engrossed House Bill No. 108 be made a special order of business for Saturday, at 10:30 o'clock a. m.

The motion carried.

**Engrossed House Bill No. 64:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 11, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 64, entitled: "An Act to provide for uniformity of assessment of property for 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 amendment:

Amend Section 3, line 25 of the original bill, being line 15 of the printed bill, by striking the remainder of the paragraph following the word "changes."

PAUL MEHNER, *Chairman.*

We concur in this report: Fred S. Duggan, P. Frank Morrow, A. M. Murfin, H. I. Kyle, James Dalley, E. N. Steele, L. E. Tewksbury, W. J. Knutzen, W. R. Orndorff, Mary U. Farquharson, Judson W. Shorett.

On motion of Senator Mehner, 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 Engrossed House Bill No. 64, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Ronald, Ryan (J. H.), Shorett, Steele, Thein, Todd—28.

Those voting nay were: Senators Bengtson, Brunton, Dailey, Dawson, Ferryman, McAulay, Peirce, Reardon, Roland, Ryan (Scott M.), Smith, Stinson, Tewksbury, Thomas—14.

Absent or not voting: Senators Drumheller, Murphy (Kebel), Nelson, Worum—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 Ryan (J. H.), the Senate referred back to the sixth order of business for the purpose of permitting the introduction of a bill.

#### INTRODUCTION OF BILL.

**Senate Bill No. 323**, by Senator Ryan (J. H.), entitled: "An Act relating to the time of payment of real and personal property taxes for the year 1934 due and payable in the year 1935 and providing for the extension of the time during which rebates shall be allowed thereon and modifying the provisions of Section 83 of Chapter 130 of the Laws of Extraordinary Session of 1925 relating to such rebates and providing that this act shall take effect immediately."

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

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

The Speaker has signed House Concurrent Resolution No. 15; also House Bill No. 21; also House Bill No. 54; also House Bill No. 91; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

The House has concurred in Senate amendments to Engrossed House Joint Resolution No. 10 and passed the resolution as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Concurrent Resolution No. 15; House Bill No. 21; House Bill No. 54 and House Bill No. 91.

At 12:10 o'clock p. m. on motion of Senator Norman, the Senate recessed until 8:00 o'clock p. m.

**EVENING SESSION.**

The Senate reconvened at 8:00 o'clock p. m., President Meyers in the Chair.

The Secretary read:

**REPORT OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 147, entitled: "An Act relating to short firearms and other weapons; defining terms; regulating the sale, possession and use thereof; providing for certain licenses and fixing fees; defining certain crimes and prescribing penalties," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, P. Frank Morrow.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

MR. PRESIDENT: SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 211, entitled: "An Act relating to the sale of food and drinks in drug stores," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

D. O. NUGENT, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Edmund J. Miller.

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

MR. PRESIDENT: SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

We, your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 323, entitled: "An Act relating to the time of payment of real and personal property taxes for the year 1934 due and payable in the year 1935 and providing for the extension of the time during which rebates shall be allowed thereon and modifying the provisions of Section 83 of Chapter 130 of the Laws of Extraordinary Session of 1925 relating to such rebates 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.

PAUL MEHNER, *Chairman.*

We concur in this report: J. H. Ryan, P. Frank Morrow, Ralph Metcalf, A. M. Murfin, Judson W. Shorett, Paul G. Thomas, L. E. Tewksbury, W. J. Knutzen, W. R. Orndorff, James Dailey, K. W. Reardon.

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

MR. PRESIDENT: SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred House Joint Memorial No. 19, entitled: "Relating to the Harrison Narcotic Law and providing for the treatment of victims of narcotic addiction," have had the

same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. D. O. NUGENT, *Chairman*.

We concur in this report: Kathryn E. Malstrom, Edmund J. Miller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Engrossed House Bill No. 17, entitled: "An Act relating to the commencement of the term of office of certain officials in Class A Counties and Counties of the First Class, and amending Section 4 of Chapter 61 of the Laws of 1921, page 180," 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: Earl Maxwell, H. L. Nelson, J. P. Keller, P. Frank Morrow, J. A. Murphy, Fred S. Duggan, J. Drumheller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 104, entitled: "An Act relating to legal holidays," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass. E. N. STEELE, *Chairman*.

We concur in this report: A. M. Murfin, Ed. Peirce, Judson W. Shorett, H. I. Kyle, Geo. F. McAulay, Ralph Metcalf.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Senate Bill No. 257, entitled: "An Act to encourage State and national industrial recovery by cooperating with the national government in fostering fair competition, to establish standards of fair competition in trade and industry, providing penalties for violations of this Act, declaring an emergency and repealing Chapter 50, Laws of Extraordinary Session 1933," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 257 be substituted therefor and that it do pass. E. N. STEELE, *Chairman*.

We concur in this report: C. F. Stinson, H. I. Kyle, J. A. Murphy, Geo. F. McAulay, A. M. Murfin, Judson W. Shorett, Fred S. Duggan.

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Senate Bill No. 257, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 257 be substituted therefor and that it do not pass. ...., *Chairman*.

We concur in this report: Ed. Peirce, Ralph Metcalf.

On motion of Senator Steele, the reports of the committee were received and the bill was placed on general file.

The Committee on Forestry and Logged Off Lands recommended that House Bill No. 331 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 28, 1935.

MR. PRESIDENT:

The House has concurred in Senate amendments to Engrossed House Bill No. 267 and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, February 27, 1935.

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. 227: "An Act relating to taxation; providing for exemptions; repealing all acts and parts of acts in conflict therewith and declaring that the act shall take effect immediately."

Yours very truly,

RICHARD HAMILTON,  
*Secretary to the Governor.*

**Engrossed House Bill No. 63:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Public Welfare and Unemployment Relief, to whom was referred Engrossed House Bill No. 63, entitled: "An Act relating to the relief of soldiers, sailors and marines of the Disabled Veterans of the World War and their families; 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.

JAMES A. MURPHY, *Chairman.*

We concur in this report: Paul G. Thomas, Kathryn E. Malstrom, Scott M. Ryan, Mary Farquharson, James Dailey, J. H. Ryan, J. P. Keller.

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Public Welfare and Unemployment Relief to whom was referred Engrossed House Bill No. 63, 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 Reardon, W. R. Orndorff.

On motion of Senator Murphy (James A.), the report of the committee was received and the bill was read the third time.

Senators Maxwell, Miller and Tewksbury demanded a roll call.

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 except Senator Worum, who was excused.

On motion of Senator Murfin, the Senate proceeded under the call of the Senate.

On motion of Senator Miller, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 63.

The bill was considered in the committee of the whole, Senator Norman in the chair, and reported back to the Senate with the recommendation that it do pass.

On motion of Senator Norman, 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 Engrossed House Bill No. 63, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—44.

Those voting nay were: Senator Reardon—1.

Absent or not voting: Senator Worum—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.

**Engrossed House Bill No. 149.** by Representative Drew, entitled: "An Act relating to taxation of real and personal property, regulating the collection of taxes, conferring certain powers on county treasurers, and amending Sections 82, 84, 87, 89 and 104 of Chapter 130, Laws of the Extraordinary Session 1925, and Section 83 of said chapter as amended by Chapter 113, Session Laws of 1931, and Section 86 of said Chapter 130 as amended by Chapter 33, Session Laws of 1933, and declaring this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 149, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—45.

Absent or not voting: Senator Worum—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. 161:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**SENATE CHAMBER,  
OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, your Committee on Insurance to whom was referred Senate Bill No. 161, entitled: "An Act relating to insurance, amending Sections 73 and 74 of Chapter 49, Laws of 1911, further amending said Chapter by adding thereto three new Sections to be known as Sections 74-a, 74-b and 74-c, and providing penalties for violation," 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, page 2 of the printed bill by striking out the last 4 words in said line reading as follows: "and with the rating."

Amend line 3, page 2 of the printed bill by striking out the first word in said line reading as follows: "bureau."

Amend line 12, page 2 of the printed bill by inserting after the word this, the following words: "or any other" making it read, "in this or any other state."

Amend line 43, page 2 of the printed bill by striking out the last word, "and" in said line, and inserting the word "and" after the word "inspection" in said line.

Amend line 44, page 2 of said bill by striking out the first word, "supervision," in said line.

Amend Section 74-c, page 3 of the printed bill by striking said section appearing on lines 33 to 44 inclusive, page 3 and lines 1 to 16 inclusive, page 4 of the printed bill and substitute the following: "Section 74-c. If, in the opinion of the Insurance Commissioner, any rate made or fixed by any insurance company or rating bureau is excessive, inadequate, unjust or unreasonable, or discriminates unfairly between risks in the application of like charges or credits, or discriminates unfairly between risks of essentially the same hazards and having substantially the same degree of protection against fire, the Insurance Commissioner, after notice and opportunity to be heard is given to all parties interested, shall have power to order the discrimination removed. Any interested person or party feeling aggrieved by any ruling, decision or order of the Insurance Commissioner following any hearing, as in this section provided, shall have the right to appeal to the Superior Court of Thurston County from such ruling, decision or order within the time and in the manner provided in Section 7090 of Remington's Compiled Statutes for appeals by agents from decisions of the Insurance Commissioner; and upon such appeal the court shall try the case de novo and render its judgment either sustaining or reversing the order of the Insurance Commissioner, or enter such other judgment as the evidence warrants in accordance with the requirements of this section. Appeals to the Supreme Court may be taken as in equitable actions.

Amend Section 6, page 4 of the printed bill by striking lines 17 to 24 and substitute the following: "Sec. 6. Every insurance company transacting business in this state at the time this act takes effect and desiring to continue to transact business in this state shall, between the time this act takes effect and the first day of July, 1935, comply with the requirements of this act." C. NIFTY GARRETT, *Chairman*.

We concur in this report: E. L. Brunton, C. F. Stinson, Judson W. Shorett, Geo. A. Lovejoy.

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

On motion of Senator Garrett, the committee amendments were adopted.

On motion of Senator Lovejoy, the following amendment was adopted:

Amend Section No. 1, page 2, line 15, of the printed bill, change the period (.) to a semicolon (;) and add the following: "Provided, however, The provisions of this act shall not apply to life and/or accident and health insurance companies."

Senator Roland moved the adoption of the following amendment:

Amend line 11, page 2, after the word "commissioner" strike the rest of the section.

Senator Orndorff moved that the rules be suspended and that the amendment by Senator Roland be laid on the table without taking the bill with it.

The motion by Senator Orndorff carried.

On motion of Senator Garrett, the following amendment was adopted:

Amend line 5, page 2 of the printed bill by inserting after the word "this" the following words "or any other," make it read, "in this or any other state."

On motion of Senator Garrett, the following amendment was adopted:

Amend line 35, page 2 of the printed bill by changing the comma (,) after the word "schedules" to a period (.) and insert, in place of the word "nor," the following words, "No rating bureau shall fix or" so that the beginning of said sentence will read, "No rating bureau shall fix or adopt any rules,".

On motion of Senator Garrett, the following amendment was adopted:

Amend the committee amendment on Page 3, Section 74-c, line 8 of the committee amendment, by inserting the word "and" after the word "credits," so that the same shall read, "credits and/or discriminates."

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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—41.

Those voting nay were: Senators Dawson, Norman, Roland, Ryan (Scott M.)—4.

Absent or not voting: Senator Worum—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. 121**, by Senators Shorett, Murphy (James A.), Kyle, Malstrom, entitled: "An Act relating to official reports and to the budget system of the State of Washington; prescribing the powers and duties of State officers and employees with respect thereto; providing for the distribution thereof to members of the Legislature; and amending Chapter 9 of the Laws of 1925, as amended by Chapter 162 of the Laws of 1929 (Section 10927-4, Rem. Rev. Stat.); and repealing all laws in conflict herewith," was read the third time.

On motion of Senator Metcalf, the following amendment was adopted:

Amend Section 4e, line 13 of the printed bill by changing the word "preceeding" to read "preceding."

The Secretary called the roll on the final passage of Senate Bill No. 121, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ron-

ald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—44.

Those voting nay were: Senator Dawson—1.

Absent or not voting: Senator Worum—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. 223:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 20, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands to whom was referred Senate Bill No. 223, entitled: "An Act authorizing and directing a conveyance by quit claim deed in behalf of the State of Washington to the Tacoma Area Council, Boy Scouts of America, 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 with the following amendment:

Amend Section 1, line 17 of the original bill, the same being Section 1, line 9 of the printed bill after the word "dollars.", by inserting the following words "*Provided, That in case the Boy Scouts shall dispose of the title to all or any part of the upland adjacent to or abutting upon said tide lands, the title to the said tide lands shall revert back to the State of Washington.*"

J. W. THEIN, *Chairman.*

We concur in this report: James Dailey, Paul Mehner, J. D. Bengtson, Geo. F. McAulay.

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

Senator Thein moved the adoption of the committee amendment.

Senator Kyle moved to amend the committee amendment with the following amendment:

Amend committee amendment by striking the word "back" in line 6 of said amendment.

The motion by Senator Kyle carried.

The motion by Senator Thein carried.

The Secretary called the roll on the final passage of Senate Bill No. 223, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—44.

Absent or not voting: Senators Nugent, Worum—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. 212**, by Senators Ronald and Bengtson, entitled: "An Act relating to and providing for the apportionment for the number, district

and apportionment of the members of the House of Representatives of the State of Washington, and amending Section 3 of Chapter 2 of the Session Laws of 1931."

Senator Bengtson moved that Senate Bill No. 212 be made a special order of business for Monday at 11:00 o'clock a. m.

Senator Miller moved that Senate Bill No. 212 be made a special order of business for Saturday, at 11:00 o'clock a. m.

The motion by Senator Miller carried.

On motion of Senator Drumheller, the Senate returned to the second order of business.

#### REPORTS OF STANDING COMMITTEES.

The Committee on Mines and Mining recommended that Senate Bill No. 267 do pass with certain amendments.

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

The Committee on Mines and Mining 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.

On motion of Senator Roland, further call of the Senate was dispensed with.

At 10:05 o'clock p. m., on motion of Senator Nugent the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FORTY-SEVENTH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Friday, March 1, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Elmer M. Johnson of the Gloria Dei Lutheran Church of Olympia offered prayer.

The Secretary called the roll, all members being present except Senator Worum, who was excused, and Senators Brunton, Knutzen and Maxwell.

On motion of Senator Ronald, Senator Brunton was excused.

On motion of Senator Murphy (James A.), Senators Maxwell and Knutzen were excused.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

MR. PRESIDENT: SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 158, entitled: "An Act authorizing property to be withdrawn from a diking and/or drainage district when such property ceases to be

benefited by the improvements of such district, and providing procedure therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. J. KNUTZEN, *Chairman*.

We concur in this report: John H. Ferryman, Horace E. Smith, Geo. F. McAulay, W. G. Ronald, C. F. Stinson.

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

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 159, entitled: "An Act giving and granting additional powers to the commissioners of drainage districts, defining same within the meaning of this act, providing for the extension, improvement, and betterment of the systems therein and for the protection of such district, providing for the levy and collection of assessments against land within the boundaries of said district, granting the right of eminent domain, and providing procedure for the accomplishing of all such purposes, 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.

W. J. KNUTZEN, *Chairman*.

We concur in this report: John H. Ferryman, Horace E. Smith, Geo. F. McAulay, W. G. Ronald, C. F. Stinson.

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

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Senate Bill No. 160, entitled: "An Act authorizing issuance and sale of bonds for diking and drainage districts to fund and redeem outstanding warrants of such district; providing for the call of such warrants and cessation of interest thereon; for registration of such bonds; exchange thereof for warrants; the levy of assessments for the payment of principal and interest thereon; determining how the same is chargeable; providing for the collection thereof; the fund into which the same shall be put; the call, payment, and redemption of such bonds; 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.

W. J. KNUTZEN, *Chairman*.

We concur in this report: John H. Ferryman, Horace E. Smith, Geo. F. McAulay, W. G. Ronald, C. F. Stinson.

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

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 55, entitled: "An Act creating a Washington State Highway Code, defining terms and creating certain state funds; providing the ownership of vehicles, the licensing of vehicles, the licensing of motor vehicle operators, and providing an excise tax on motor vehicle fuel and for refunds; relating to Federal aid on public highways, and acquisition of lands for public highway purposes; classifying public highways; providing for the financing, administering, constructing, maintaining and supervising of public highways; providing for the regulation of equipment and operation of vehicles; providing for enforcement; defining offenses and fixing penalties; repealing certain acts and parts of acts, providing constitutionality and declaring an emergency; the details whereof are more fully set forth in Section 1 of this act, which details are incorporated herein," have had the same under consideration, and we respectfully report

the same back to the Senate with the recommendation that Substitute Senate Bill No. 55 be substituted therefor, and that it do pass.      WALTER G. RONALD, *Chairman*.

We concur in this report: John F. Worum, John H. Ferryman, H. L. Nelson, Geo. H. Gannon, Fred Norman, Geo. F. McAulay, Edmund J. Miller, J. W. Thein, Horace E. Smith, J. P. Keller, C. Nifty Garrett, C. F. Stinson, D. E. McMillan.

SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 55, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 55 be substituted therefor, and that it do not pass.

....., *Chairman*.

We concur in this report: S. C. Roland, Earl Maxwell, J. D. Bengtson.

On motion of Senator Ronald, the reports of the committee were received and the bill was placed on general file.

Senator Miller moved that the Committee on Judiciary be discharged from further consideration of Senate Bill No. 70.

Senator Drumheller moved that the motion by Senator Miller be laid on the table.

The motion by Senator Drumheller carried.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 13 with the following amendment:

In Section 1, line 6 of the engrossed bill, being line 5 of the printed bill, after the word "property" and before the word "levied" strike the word "be," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Kyle moved that the Senate concur in the House amendment to Engrossed Senate Bill No. 13.

The motion carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 13, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thomas, Todd—40.

Absent or not voting: Senators Brunton, Maxwell, Nelson, Nugent, Thein, Worum—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.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 324**, by Committee on Elections and Privileges, entitled: "An Act requiring precinct election officers to prepare copies of the result of votes cast at their precincts for transmittal to the County Election Board,

and for posting at the polling places; and prescribing a penalty for mutilation of or interference with such copies."

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

**Senate Bill No. 325**, by Senator Miller, entitled: "An Act relating to taxation designed for the purpose of eliminating all real and personal property from the tax rolls of the State of Washington and substituting a new system therefor; imposing taxes upon the volume of business transacted in all industrial, commercial and/or business activities; providing for the ascertaining and assessment, collection and distribution thereof; and for certain assessments upon unexempt tangible property; providing for the administration and enforcement of this act; making appropriations, and fixing the date when this act shall become effective; amending Sections 1, 2, 4 (as amended), 5, 19, 21, 28, 29, 29A and 30 of, and adding new sections to be known as Sections 30-a, 30-b, to, Chapter 191, of the Session Laws of 1933; repealing certain laws in conflict therewith, and providing penalties for any violation thereof."

The bill was read the first time, and on motion of Senator Miller 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. 326**, by Senator Garrett, entitled: "An Act relating to the attorney general and the enforcement of the laws in regard to aliens and making an appropriation."

The bill was read the first time, and on motion of Senator Garrett 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 Garrett, entitled: "An Act authorizing county commissioners of first class counties to employ a purchasing agent, establishing his duties, and providing the method of procedure in his performance thereof."

The bill was read the first time, and on motion of Senator Garrett 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. 328**, by Senator Reardon, entitled: "An Act defining the term 'Street Car Bus,' and amending Section 6313 of Remington's Revised Statutes of Washington; fixing license fees for motor vehicles; repealing Section 6326, Remington's Revised Statutes; 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 Public Utilities.

**Senate Bill No. 329**, by Senator Roland, entitled: "An Act to regulate the speed, lengths, and weights of motor vehicles and repealing Sections 6362-8 and 6362-9 of Remington's Revised Statutes of Washington, and declaring an emergency."

The bill was read the first time, and on motion of Senator Roland 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. 330**, by Senators Thein, Lovejoy, Mehner, Miller, Nugent, Drumbheller, Todd, Shorett, entitled: "An Act relating to intoxicating liquors and empowering the Washington State Liquor Control Board to appoint agents authorized to dispense spirituous liquor by the glass or drink; amending Chapter 62 of the Laws of Extraordinary Session of 1933 of the State of Washington by adding thereto a new section to be known as Section 76 and declaring an emergency."

The bill was read the first time, and on motion of Senator Thein 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. 331**, by Senator Ryan (J. H.), entitled: "An Act regulating and licensing the practice of naturopathy, creating an examining committee, defining the powers and duties of such committee; defining professional terms and abbreviations; creating a naturopathic fund; defining unprofessional conduct, defining minor surgery, traumatic surgery, and anesthesia; defining educational qualifications and regulation of the same, prescribing penalties for violations of this act, providing for reciprocity from other states, and repealing all acts and parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Ryan (J. H.) 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. 332**, by Senators Steele, Shorett and McAulay, entitled: "An Act relating to publication and sale of Washington Supreme Court Reports and amending Section 3, Chapter 167 of Laws of 1905 (Section 11066, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Steele 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. 333**, by Senator Ronald, entitled: "An Act relating to public highways, making appropriations for the location, rights of way, engineering, construction, repair, alteration, improvement, maintenance and special maintenance of the state highways of the State of Washington and of the state roads according to the several department of highways districts; making appropriations for capital outlays and for the salaries, wages, operations and other expenses of the department of highways with respect to state highways of the state and state roads according to the several department of highways districts; making allocations for incorporated cities and towns for construction and maintenance of city streets forming a part of the routes of state highways and state roads therein and making an appropriation therefor; all for the fiscal biennium beginning April 1, 1935, and ending March 31, 1937; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Ronald 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. 334**, by Senator Ferryman, entitled: "An Act relating to the transportation of motor vehicles over the public highways of the State

of Washington; providing for the payment of fees therefor, providing for the painting and stenciling of the weight thereof upon every auto stage, motor truck and trailer, and repealing Section 15 of Chapter 96 of the Laws of 1921, Section 1 of Chapter 140 of the Laws of 1931, Section 27 of Chapter 166 of the Laws of 1933, and Section 11 of Chapter 55 of the Laws Extraordinary Session, 1933."

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 Roads and Bridges.

**Senate Bill No. 335**, by Committee on Medicine, Dentistry, Pure Food and Drugs, entitled: "An Act relating to and regulating the possession, transportation, treatment and disposition of dead human bodies, the licensing of embalmers and funeral directors, regulating conduct in relation thereto, providing for maximum burial charges in estates escheating to the State of Washington, providing penalties for violation thereof, and repealing all acts and parts of acts in conflict."

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

**Senate Bill No. 336**, by Senator Murphy (James A.), entitled: "An Act providing for an additional tax of one (1c) cent a gallon on motor vehicle fuel, providing for the allocation of the monies received to the general fund and to a new fund known as the 'state people's motor vehicle fund' and providing for the use of such funds to purchase and sell motor vehicle fuel, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Murphy (James A.), 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. 337**, by Senators Thomas, Roland, McAulay and McMillan, entitled: "An Act releasing owners of motor vehicles from responsibility for injuries to passengers therein, and amending Section 1, Chapter 18, Laws of 1933."

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. 338**, by Senators Garrett, Shorett, Thomas, Orndorff, Lovejoy, Brunton and Stinson, entitled: "An Act relating to the exemption of certain societies from the laws relating to fraternal insurance and amending Section 7288 of Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Garrett 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. 339**, by Senators Lovejoy, Miller, Dawson and Todd, entitled: "An Act authorizing cities containing a population of not less than three hundred thousand inhabitants owning or which may hereafter acquire municipal transit systems, to provide an alternative method for the opera-

tion, management, maintenance and financing of such transit systems, 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 Cities of the First Class.

**Substitute Senate Bill No. 257**, by Committee on Judiciary, entitled: "An Act to encourage state and national industrial recovery by cooperating with the national government in fostering fair competition, to establish standards of fair competition in trade and industry, providing penalties for violations of this act, declaring an emergency and repealing Chapter 50, Laws of Extraordinary Session 1933."

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

**Substitute Senate Bill No. 55**, by Committee on Roads and Bridges, entitled: "An Act creating a Washington State Highway Code, defining terms and creating certain state funds; providing the ownership of vehicles, the licensing of vehicles, the licensing of motor vehicle operators, and providing an excise tax on motor vehicle fuel and for refunds; relating to Federal Aid on public highways, and acquisition of lands for public highway purposes; classifying public highways; providing for the financing, administering, constructing, maintaining and supervising of public highways; providing for the regulation of equipment and operation of vehicles; providing for enforcement; defining offenses and fixing penalties; repealing certain acts and parts of acts, providing constitutionality and declaring an emergency; the details whereof are more fully set forth in Section 1 of this act, which details are incorporated herein."

The bill was read the first time, and on motion of Senator Ronald 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. 134**, by Senator Maxwell, entitled: "An Act relating to the acquirement and extension of water works system beyond city limits, by cities and towns; and fixing the term of utility revenue bonds to pay therefor; and amending Section 4, Chapter 17, of the Laws of the Extraordinary Session of 1933; and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 134, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—42.

Absent or not voting: Senators Brunton, Maxwell, Miller, Worum—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. 92**, by Committee on Educational Institutions, entitled: "An Act relating to a system of student fees in the State College of Washington and providing for the collection and disposition of the same, and amending Section 2 of Chapter 164 of the Laws of 1921, and repealing Section 1 of Chapter 9, of the Laws of the Extraordinary Session of 1909," was read the third time.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 92, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Miller, Morrow, Murfin, Murphy (Kebel), Norman, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—32.

Those voting nay were: Senators Dailey, Ferryman, Keller, Kerstetter, Mehner, Murphy (James A.), Nelson, Orndorff, Roland, Thomas—10.

Absent or not voting: Senators Brunton, Maxwell, Nugent, Worum—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 Gannon, the rules were suspended, and Substitute Senate Bill No. 92 was ordered immediately transmitted to the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 85; also Engrossed House Bill No. 158; also Engrossed House Bill No. 285, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 228; also House Bill No. 309; also Senate Bill No. 4; also Senate Bill No. 17; also Senate Bill No. 36; also Senate Bill No. 73; also Engrossed Senate Bill No. 77, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### GENERAL FILE.

**Senate Bill No. 110**, by Senator Lovejoy, entitled: "An Act relating to elections and providing that blind persons or persons of defective vision may request the assistance of certain persons to mark their ballots other than is now provided by law, and providing penalties," was read the third time.

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 Barnes, Bengtson, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—40.

Absent or not voting: Senators Brunton, Drumheller, Maxwell, Nugent, Peirce, Worum—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 Lovejoy, the rules were suspended and Senate Bill No. 110 was ordered immediately transmitted to the House.

The President appointed as members of the conference committee on Engrossed House Bill No. 67, Senators Duggan, Metcalf and McMillan.

#### Senate Bill No. 144:

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Fisheries, to whom was referred Senate Bill No. 144, entitled: "An Act relating to clams; authorizing the digging and taking thereof as in this act provided; providing for issuance and revocation of certain licenses and fixing the fees thereof; and prescribing 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 with the following amendments:

Amend by striking out all the underlining in the bill. It is as follows:

Line 11 of the printed bill and line 19 of the original bill, strike out the underlining of the word "one" and the figure "\$1.00."

Line 16 of the printed bill and line 26 of the original bill, strike out the underlining of the word "Provided."

L. E. TEWKSBURY, *Chairman.*

We concur in this report: James Dailey, D. O. Nugent, H. L. Nelson, Geo. A. Lovejoy, Paul Mehner, J. H. Ryan, Fred Norman.

SENATE CHAMBER,

OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Fisheries, to whom was referred Senate Bill No. 144, 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.*

I concur in this report: Scott M. Ryan.

On motion of Senator Tewksbury, the reports of the committee were received and the bill was read the third time.

On motion of Senator Tewksbury, the committee amendment was adopted.

On motion of Senator Shorett, the following amendment was adopted:

Amend Section 3, line 26 of the printed bill by striking the word "gross."

The Secretary called the roll on the final passage of Senate Bill No. 144, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knut-

zen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Reardon, Roland, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—36.

Those voting nay were: Senators Morrow, Ryan (Scott M.)—2.

Absent or not voting: Senators Brunton, Drumheller, Maxwell, Nelson, Nugent, Peirce, Ronald, Worum—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.

At 12:10 o'clock p. m., on motion of Senator Ronald, the Senate recessed until 2:00 o'clock p. m.

**AFTERNOON SESSION.**

The Senate reconvened at 2:00 o'clock p. m., President Meyers in the Chair.

On motion of Senator McAulay, Senate Bill No. 212 was re-referred to the Committee on Judiciary.

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 121, entitled: "An Act relating to official reports and to the budget system of the State of Washington; prescribing the powers and duties of state officers and employees with respect thereto; providing for the distribution thereof to members of the Legislature; and amending Chapter 9 of the Laws of 1925, as amended by Chapter 162 of the Laws of 1929 (Section 10927-4 Rem. Rev. Stat.); and repealing all laws in conflict herewith," have compared the same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 161, entitled: "An Act relating to insurance, amending Sections 73 and 74 of Chapter 49, Laws of 1911, further amending said chapter by adding thereto three new sections to be known as Section 74-a, 74-b and 74-c, and providing penalties for violation," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 223, entitled: "An Act authorizing and directing a conveyance by quit claim deed in behalf of the State of Washington to the Tacoma Area Council, Boy Scouts

of America, of certain real estate," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

#### MESSAGE FROM THE HOUSE.

MR. PRESIDENT:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 1, 1935.

The Speaker has signed House Joint Resolution No. 10, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

#### MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 1, 1935.

*To the Honorable, the Senate of the State of Washington.*

LADIES AND GENTLEMEN:

I am transmitting herewith copy of a letter received from E. H. Foley, Jr., Legal Director of the Federal Emergency Administration of Public Works, pertaining to certain bills now pending before the Legislature.

I also take the liberty to advise that E. R. Hoffman, State Engineer of Public Works Administration, State Highway Building, is available to consult and advise in respect to these measures with the proper committees of the Senate and House of Representatives.

Respectfully submitted,

CLARENCE D. MARTIN,  
*Governor.*

#### FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

(Air Mail Special Delivery)

WASHINGTON, D. C., February 25, 1935.

In reply refer to: Legal—ST/gh—Docket 2680.

*Honorable Clarence D. Martin, Governor,  
Olympia, Washington.*

MY DEAR GOVERNOR:

We are venturing to call your attention to certain bills now pending before the Legislature of the state which have a bearing upon the Public Works Program in Washington.

Senate Bill No. 215 repeals Section 4546 of Remington's Revised Statutes. This section provides for the collection of fees from students attending the University of Washington. These fees may be pledged to secure bonds issued to construct university buildings. The passage of Senate Bill No. 215 may jeopardize a loan, now in the process of being closed, to the University from the Public Works Administration which is secured by a pledge of student fees.

House Bill No. 261, Senate Bill No. 101 and Senate Bill No. 206 amend Chapter 29, Laws of the Extraordinary Session of 1933. Chapter 29 creates a board to supervise all elections in each county and in the political sub-divisions thereof. House Bill No. 261 excludes cities and towns from the jurisdiction of this board. Passage of this bill in its present form would result in a serious hiatus in the election law pertaining to cities and towns in that there would no longer be provision in the statute for a board to supervise city and town elections. May we suggest that any amendment of Chapter 29 should be so worded as to avoid such a hiatus. Proceedings authorizing the issuance of bonds are now under way in several cases in which elections have been held in compliance with Chapter 29 as now in force. Any amendment to Chapter 29 should contain a provision excepting such cases from its scope.

House Bill No. 138 provides for the payment of not less than the general prevailing rate of wages on Public Works Projects. As you are aware it is at present unde-

terminated whether whatever Public Works Bill Congress may pass will contain a provision requiring the payment of the prevailing rate of wages or a different rate of wages upon Public Works Projects. If Congress passes a bill requiring the payment of wages less than the prevailing rate on Public Works Projects, the Public Works Program in Washington would be seriously crippled by the enactment of House Bill No. 138. A provision in House Bill No. 138, if it be passed, to the effect that in so far as there be any inconsistency between this bill and the provisions of the Federal Public Works Bill or of the rules and regulations of any federal agency which may administer the same, the latter provisions shall prevail, would avoid the difficulty we point out. We will be glad to draft such a provision if you so desire.

Our purpose in calling these matters to your attention for such action as you may care to take is to prevent embarrassment to the Public Works Program in the State of Washington.

Very truly yours,

Signed E. H. FOLEY, JR.,  
 Director, Legal Division.  
 For the Administrator.

On motion of Senator Murphy (James A.), copies of the letter from the administration were ordered mimeographed and to be placed on the desks of the Senators by Saturday morning.

The President signed House Joint Resolution No. 10.

**GENERAL FILE.**

**Senate Bill No. 112:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
 OLYMPIA, WASH., February 15, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 112, entitled: "An Act relating to irrigation district deeds on foreclosure of assessments, preserving the lien of general taxes and amending Section 30, page 687 of the Session Laws of 1889-90, as amended by Section 17 of Chapter 165 of the Session Laws of 1895 (Section 7448, Rem. Rev. Stat.)," 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, being line 21 of the original bill, the same being line 14 of the printed bill, by inserting the word "Eighth:" between the words "officer," and "Such."

Amend Section 1, being line 24 of the original bill, the same being line 17 of the printed bill, by striking after the word "deed" the remainder of the section reading as follows: "The deed conveys to the grantee the absolute title to the lands described therein, free from all encumbrances, *except the lien of general state and county taxes and except when the land is owned by the United States or this state, in which case it is prima facie evidence of the right of possession.*" and inserting in lieu thereof the following:

*Ninth: When the grantee in the deed is a party other than the irrigation district or the county, or the land is redeemed, the deed conveys to the grantee the absolute title to the lands described therein, free from all encumbrances, except general taxes, drainage improvement districts assessments, and assessments of other irrigation districts.*

*Tenth: When the grantee in the deed is the irrigation district or the county, the deed conveys to the grantee the absolute title to the lands described therein, free from all encumbrances,*

*Eleventh: The deed of the county or the irrigation district conveying any lands so acquired, shall convey to the grantee the absolute title to the lands described therein, free and clear of all encumbrances, except when the grantee is one who has a prior right under Section 7445 of Remington's Compiled Statutes, in which event it shall be subject to all taxes, drainage improvement district and other irrigation district assessments.*

*Twelfth: All proceeds received by a county or irrigation district from any lands so acquired, shall be paid to the county treasurer and by him distributed pro rata between the county, the irrigation districts, and the drainage improvement districts holding liens against said lands at the time the county or the irrigation district acquired title, in proportion to the amount of said liens, provided that there can be first deducted therefrom any expenses incurred in caring for, operating, or improving said land, incurred or expended with the consent of the board of county commissioners and the board of directors of the irrigation district.*

*Thirteenth: When the land is owned by the United States, or this state, the provisions of Subsections 9, 10 and 11 shall not apply, and in such cases the deed shall be prima facie evidence of the right of possession.* E. N. STEBLE, Chairman.

We concur in this report: A. M. Murfin, Geo. F. McAulay, E. L. Brunton, C. F. Stinson, Chas. H. Todd, Fred S. Duggan, Judson W. Shorett, James A. Murphy.

On motion of Senator Steele, 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 amendment was adopted:

Amend Sub-section 10 by striking the period and adding "*except drainage or diking improvement district assessments or installments thereof not yet due at the time of sale.*"

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 Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd—41.

Those voting nay were: Senator Stinson—1.

Absent or not voting: Senators Brunton, Peirce, Ryan (Scott M.), Worum—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. 7**, by Senators Miller and Ryan (J. H.), entitled: "An Act providing for the creation of an Old Age Pension Commission, creating an Old Age Pension Fund, providing for the deposit of certain money therein, and the expenditure thereof, amending Sections 1, 2, 6, 7 and 12 of Chapter 29 of the Session Laws of 1933, and amending Section 9 of Chapter 55, Session Laws of 1933, repealing all acts or parts of acts in conflict with the provisions thereof, and declaring that this act shall take effect immediately," was read the third time.

On motion of Senator Shorett, the following amendment was adopted:

Amend Section 2, line 10 of the printed bill; strike the word "reasonable."

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 7.

The bill was considered in the committee of the whole, Senator Ronald in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Reardon, the following amendment, made in the committee of the whole, was adopted:

Amend Section 4, after the word "herein." page 2, line 2 of the printed bill, by adding thereto the following: "for the purpose of securing the payment in full of all old age pensions allowed as provided herein there is hereby appropriated from the general fund the sum of five million dollars (\$5,000,000.00), or so much thereof as shall be necessary for such purpose after exhausting all monies deposited in the old age pension fund as provided herein."

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.

On motion of Senator Kyle, the following amendment was adopted:

Amend Section 3 after the word "Commission." line 17 of the printed bill, by adding the following: "Provided, When evidence is submitted to said Old Age Pension Commission that any applicant is ineligible to receive such pension, payment thereof may be withheld pending determination by said Old Age Pension Commission of the eligibility of such applicant."

Senator Thomas moved the adoption of the following amendment:

Amend Section 9, Sub-section 6, line 36—change "thirty" to read "forty."

The motion lost.

On motion of Senator Mehner, the following amendment was adopted:

Amend Section 8, Sub-section 2, line 29 of the printed bill, strike the word "county," and insert in lieu thereof the word "state,".

Senator Bengtson moved the adoption of the following amendment:

Amend Section 11, Sub-section 12, by striking the entire section.

The motion lost.

On motion of Senator Smith, the following amendment was adopted:

Amend Section 5, line 5 of the printed bill, after the word "county" insert a period (.) and strike the remainder of the section.

On motion of Senator Morrow, the following amendment was adopted:

Amend Section 8, Sub-section 2, line 29 of the printed bill; strike the word "resident" and substitute the word "citizen."

Senator Farquharson moved the adoption of the following amendment:

Amend Section 12, line 18, strike "five" (5) and insert "seven and one half" (7½).

The motion lost.

On motion of Senator Maxwell, the following amendment was adopted:

Amend Section 12, line 19 of the printed bill; strike out the word "machines" and insert in lieu thereof the word "betting."

On motion of Senator Reardon, the following amendment was adopted:

Amend the title by inserting in the second line of the body of the title after the word "Fund," the following: "making an appropriation from the general fund in aid thereof,".

The Secretary called the roll on the final passage of Senate Bill No. 7, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—43.

Absent or not voting: Senators Brunton, Murphy (Kebel), Worum—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 Miller, the rules were suspended, and Senate Bill No. 7 was ordered engrossed and immediately transmitted to the House.

At 4:08 o'clock p. m., on motion of Senator Miller, the Senate recessed until 7:30 o'clock p. m.

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### EVENING SESSION.

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The Senate reconvened at 7:30 o'clock p. m., President Meyers in the Chair.

The Secretary read:

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 112, entitled: "An Act relating to irrigation district deeds on foreclosure of assessments, preserving the lien of general taxes and amending Section 30, page 687 of the Session Laws of 1899-90, as amended by Section 17, of Chapter 165 of the Session Laws of 1895 (Section 7448, Remington's Revised Statutes)," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: W. C. Dawson, J. W. Thein.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 144, entitled: "An Act relating to clams: authorizing the digging and taking thereof as in this act provided; providing for issuance and revocation of certain licenses and fixing the fees thereof; and prescribing penalties for the violation of this act," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: W. C. Dawson, J. W. Thein.

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

The Secretary read:

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 13, entitled: "An Act relating to sheriff's indemnity bonds and amending Section 4172, Remington's Revised Statutes," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 36, entitled: "An Act relating to the sale of property under execution, decree or order of sale; and amending Section 1 of Chapter 69 of the Laws of 1927 (Section 582 of Remington's Revised Statutes)," have compared same with the original bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 4, entitled: "An Act relating to the passage of ordinances by cities and authorizing cities to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects, together with amendments and additions thereto: *Provided*, Not less than three printed copies of such code or codes, or amendments or additions thereto, in book form, have been filed with the clerk prior to the taking effect thereof," have compared same with the original bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 73, entitled: "An Act relating to justice courts, fixing the venue of civil actions therein, and amending Section 1 of Chapter 75 of the Laws of 1929," have compared same with the original bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 17, entitled: "An Act to adopt Remington's Revised Statutes of Washington as an official compilation of the laws of this state, and relating to additions and amendments thereto, and declaring that this act shall take effect immediately," have compared same with the original bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.  
The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 262, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

## GENERAL FILE.

**Senate Bill No. 252**, by Committee on Rules and Joint Rules (by request of State Finance Committee), entitled: "An Act relating to the investment of funds of the Accident Fund and the Reserve Fund created by the Workmen's Compensation Act of the State of Washington," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 252, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—39.

Absent or not voting: Senators Bengtson, Drumheller, Maxwell, Murphy (Kebel), Nugent, Reardon, Ryan (Scott M.)—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. 253**, by Committee on Rules and Joint Rules (by request of State Finance Committee), entitled: "An Act relating to the investment of current funds of the State of Washington by the state finance committee," was read the third time.

On motion of Senator Gannon, the following amendments were adopted:

Amend Section 1, line 12 of the printed bill by adding thereto the following: "Upon such investment being made, the state treasurer shall pay to the vendor of said securities the amount so invested, and the bonds so purchased shall be deposited with the state treasurer, whose duty it shall be to collect all interest payments falling due thereon, and the principal at maturity."

Amend Section 2, line 13 of the printed bill, change the word "Ten" to "Twenty," and add in line 14 after the words "a reserve fund," the following: "This reserve fund shall be maintained until it shall reach five per cent (5%) of the principal invested."

Amend line 20 of the printed bill by adding thereto the following: "All income other than that set aside in the reserve fund shall be credited to the deposit interest fund in the state treasury."

On motion of Senator Morrow, the following amendment was adopted:

Amend Section 1, line 9 of the printed bill by striking the word "Further."

The Secretary called the roll on the final passage of Senate Bill No. 253, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—41.

Absent or not voting: Senators Bengtson, Maxwell, Nugent, Reardon, Ryan (Scott M.)—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.

**Substitute Senate Bill No. 87:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,

OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Substitute Senate Bill No. 87, entitled: "An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds, and amending Sections 16, 23, 27, 30, 33, 37, 52, 55, 62, 69, 70, 71, 72, 90, 92 and 93 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Sections 7306-16, 7306-23, 7306-27, 7306-30, 7306-33, 7306-37, 7306-52, 7306-55, 7306-62, 7306-69, 7306-70, 7306-71, 7306-72, 7306-90, 7306-92, and 7306-93 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 the title by striking the period at the end of the last line and inserting in lieu thereof a comma and adding the following: "and declaring this Act shall take effect immediately."

Amend Section 2, page 3, lines 17, 18, 19 and 21 of the original substitute bill, the same being page 3, lines 6, 7, 8 and 10 of the printed substitute bill, by striking the figures "\$25.00," in line 6 of the printed substitute bill and inserting in lieu thereof the figures "\$37.50;" and by striking the figures "\$50.00" in line 7, and inserting in lieu thereof the figures "\$75.00;" and by striking the figures "\$75.00" in line 8 and inserting in lieu thereof the figures "\$112.50;" and by striking the figures "\$75.00" in line 10 and inserting in lieu thereof the figures "\$112.50."

Amend Substitute Senate Bill No. 87 by adding a new section to immediately follow Section 16, to be known as Section 17, to read as follows: "Sec. 17. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately." GEO. A. LOVEJOY, *Chairman*.

We concur in this report: C. Nifty Garrett, G. B. Kerstetter, L. E. Tewksbury, E. N. Steele, Horace E. Smith, J. W. Thein, D. O. Nugent, Paul Mehner, J. Drumheller, W. R. Orndorff.

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

Senators Tewksbury, Steele and Lovejoy 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 except Senator Ryan (Scott M.).

On motion of Senator Steele, Senator Ryan (Scott M.) was excused.

On motion of Senator Lovejoy, the Senate proceeded under the call of the Senate.

The President signed Senate Bills Nos. 17, 73, 4, 36 and 13.

Senator Miller moved the adoption of the following amendment:

In Section 2, Sub-section 5, line 7 of the original bill, same being line 11 of the printed bill, strike the period after the word "unit" and in lieu thereof add a colon and the following words: "Provided, Brewers licensed hereunder shall sell only to licensed wholesalers or distributors, and wholesalers shall sell only to licensed retailers."

The motion by Senator Miller lost.

Senator Reardon moved the adoption of the following amendment:

Amend Section No. 2, line 39, page 2, of the printed bill by adding after the word "taverns," the following words: "Provided, That the license issued to taverns shall

permit the sale of only light wines containing not more than 14% of alcohol by volume."

Senator Nugent moved that the amendment by Senator Reardon be laid on the table.

The motion by Senator Nugent lost.

The motion by Senator Reardon lost.

Senator Maxwell moved the adoption of the following amendment:

Amend Section No. 2: Amend Substitute Senate Bill No. 87 in Section 2, after Sub-section 15, to be line 36½ of the printed bill, by adding a sub-section to be known as Sub-section 16, as follows: *"16. License to clubs to sell liquor by the individual glass at retail for consumption on the premises only under such restrictions and regulating as the Board may determine. Issuance of such license shall be discretionary with the Board and may be summarily revoked without hearing: fee \$250.00."*

Senator Nugent moved that Substitute Senate Bill No. 87 be laid on the table.

The motion by Senator Nugent lost.

Senator McMillan moved that the rules be suspended and that the amendment be laid on the table without taking the bill with it.

The motion by Senator McMillan lost.

The motion by Senator Maxwell lost.

Senator Thomas moved the adoption of the following amendment:

Amend Section 2, Sub-sections 7, 8, 9, 10 and 11: strike all.

The motion by Senator Thomas lost.

Senator Miller moved the adoption of the following amendment:

Amend Section No. 2, Sub-section 11: strike the words "drug stores, or soda fountains."

The motion by Senator Miller lost.

Senator Thomas moved the adoption of the following amendment:

Amend Section No. 2, Sub-section 7, line 31: Delete word "Hotel."

Senator Tewksbury moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Tewksbury carried.

Senator Murphy (Kebel) moved the adoption of the following amendment:

Amend Section 2, Sub-section 6, page 2, line 22 of the printed bill by striking the words *"one hundred and fifty dollars (\$150.00)"* and inserting in lieu thereof the words *"twenty-five dollars (\$25.00)."*

Amend Section 2, Sub-section 6, page 2, line 24 of the printed bill by striking the words *"five dollars (\$5.00),"* and inserting in lieu thereof the words *"one dollar (\$1.00)."*

The motion by Senator Murphy (Kebel) lost.

Senator Kerstetter moved the adoption of the following amendment:

Amend Section 3, Sub-section 2a, page 4, lines 23, 24, 25 and that part of 26 of the printed bill being lines 23, 24, 25 and part of 26, on page 5 of the original bill, strike all lines 23, 24, 25 and that part of line 26 to word "said" and substitute in lieu thereof the following: The board may with or without hearing suspend any license for a period not to exceed ninety days; the board may in its discretion cancel any license provided that no license may be cancelled without hearing if such hearing be requested in writing by the licensee.

The motion by Senator Kerstetter lost.

Senator Gannon moved the adoption of the following amendment:

Amend Section 2, Sub-section 2A, page 4, line 23: Strike the entire section.

Senator Kerstetter moved that the amendment be laid on the table with the bill.

The motion by Senator Kerstetter lost.

Senators Ryan (J. H.), Thomas, Kyle, Dailey, Maxwell, Murfin, Miller and Lovejoy demanded a roll call on the motion by Senator Gannon.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Gannon and the motion lost by the following vote:

Those voting aye were: Senators Barnes, Dailey, Drumheller, Farquharson, Ferryman, Gannon, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Roland, Ryan (J. H.), Shorett, Stinson, Thomas—21.

Those voting nay were: Senators Bengtson, Brunton, Dawson, Duggan, Garrett, Keller, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Peirce, Reardon, Ronald, Smith, Steele, Tewksbury, Thein, Todd, Worum—24.

Absent or not voting: Senator Ryan (Scott M.)—1.

Senator Nugent moved that Substitute Senate Bill No. 87 be indefinitely postponed.

Senators Kyle, Dailey, Ryan (J. H.), Thomas, Kerstetter, Ferryman, Roland and Nugent demanded a roll call on the motion by Senator Nugent. A roll call was ordered.

The Secretary called the roll on the motion by Senator Nugent and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Morrow, Nugent, Reardon, Roland, Thomas—13.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—32.

Absent or not voting: Senator Ryan (Scott M.)—1.

Senator Nugent moved that Substitute Senate Bill No. 87 be made a special order of business for Saturday at 11:00 o'clock a. m.

The motion by Senator Nugent carried.

On motion of Senator Lovejoy, the further call of the Senate was dispensed with.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA WASH., March 1, 1935.

MR. PRESIDENT:

The Speaker has signed House Bill No. 149; also  
Senate Bill No. 17; also  
Senate Bill No. 73; also  
Senate Bill No. 4; also  
Senate Bill No. 36; also  
Senate Bill No. 13; also  
House Bill No. 267; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Bills Nos. 267 and 149.

At 9:50 o'clock p. m., on motion of Senator Nugent, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## FORTY-EIGHTH DAY

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### MORNING SESSION.

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SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, March 2, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Elmer M. Johnson of the Gloria Dei Lutheran Church of Olympia offered prayer.

The Secretary called the roll, all members being present.

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

The Secretary read:

**Senate Joint Resolution No. 20**, by Senator Ronald: "Providing for the amendment of Section 23 of Article 2 of the Constitution of the State of Washington by providing compensation for the members of the legislature."

On motion of Senator Ronald, 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. 21**, by Senator Nelson: "Providing for a joint meeting with members of the Oregon Roads and Bridges Committee of the Legislature of the State of Oregon in session assembled."

On motion of Senator Nelson, the rules were suspended, the resolution read the second time, read the third time, and placed on final passage.

On motion of Senator Nelson, Senate Joint Resolution No. 21 was adopted.

The Secretary read:

### REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 7, entitled: "An Act providing for the creation of an Old Age Pension Commission, creating an Old Age Pension Fund, making an appropriation from the general fund in aid thereof, providing for the deposit of certain money therein, and the expenditure thereof, amending Sections 1, 2, 6, 7 and 12 of Chapter 29 of the Session Laws of 1933, and amending Section 9 of Chapter 55, Session Laws of 1933, repealing

all acts or parts of acts in conflict with the provisions hereof, and declaring that this act shall take effect immediately," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

**REPORT OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 77, entitled: "An Act relating to and providing for Firemen's Relief and Pension Funds in certain incorporated cities and towns of the State, providing for the maintenance and distribution of such funds and designating the beneficiaries thereof, defining the powers and duties of certain officials, and amending Section 1 of Chapter 196 of the Laws of 1919 and Sections 4, 5, 7, 8, 9, 14, 15, 17, 18 and 19 of said Chapter as amended," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 274, entitled: "An Act relating to taxing districts, as defined in Chapter IX of the act of Congress entitled, 'An Act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, and to assessments or taxes levied or to be levied upon lands therein, enabling such districts to obtain the relief provided in said Chapter IX, validating petitions and proceedings under or in contemplation of proceedings under said Chapter IX, 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.

E. N. STEELE, *Chairman.*

We concur in this report: Judson W. Shorett, A. M. Murfin, Fred S. Duggan, E. L. Brunton, H. I. Kyle, Chas. H. Todd, Ed. Peirce, Geo. F. McAulay, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Engrossed House Bill No. 194, entitled: "An Act relating to schools and providing for a holiday," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

MARY U. FARQUHARSON, *Chairman.*

We concur in this report: Kathryn E. Malstrom, J. D. Bengtson, L. E. Tewksbury, W. R. Orndorff.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 2, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 212, entitled, "An Act relating to and providing for the number, district and apportionment of the members of the Senate and House of Representatives of the State of Washington, providing for their selection, amending Sections 2 and 3 of Chapter 2 of the Session Laws of 1931, and repealing Chapters 20 and 74 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 Substitute Senate Bill No. 212 be substituted therefor and that it do pass. GBO. F. MCAULAY, *Acting Chairman*.

We concur in this report. Judson W. Shorett, J. A. Murphy, A. M. Murfin, H. I. Kyle, E. N. Steele, Fred S. Duggan.

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

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 2, 1935.

MR. PRESIDENT:

The House has passed Engrossed Substitute House Bill No. 190; also House Bill No. 218; also Engrossed House Bill No. 238; also Engrossed House Bill No. 507; also House Joint Memorial No. 26; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### INTRODUCTION OF BILLS.

**Senate Bill No. 340**, by Senator Kyle, entitled: "An Act relating to public roads in the State of Washington; providing for a distribution of part of the Motor Vehicle Fund to counties and cities for use on secondary and primary highways, and creating a fund therefor; amending Section 4 of Chapter 41 of the Session Laws of 1933, amending Section 18 of Chapter 163 of Session Laws of 1929 (Section 6330, Remington's Revised Statutes); amending Section 5 of Chapter 41 of the Session Laws of 1933, amending Section 5 of Chapter 88 of the Session Laws of 1929 and as amended by Section 1 of Chapter 168 of the Session Laws of 1933 (Section 6851-5, Remington's Revised Statutes), 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 Roads and Bridges.

**Senate Bill No. 341**, by Senators Garrett, Thein, Norman and Steele, entitled: "An Act re-appropriating funds for the Puget Sound-Grays Harbor-Willapa Harbor Canal to be expended by the Canal Commission created by Chapter 71, of the Laws of 1933."

The bill was read the first time, and on motion of Senator Garrett 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. 342**, by Senator Reardon, entitled: "An Act relating to arguments for or against proposed amendments to the constitution submit-

ted by the 24th regular session of the legislature, and providing for the printing and distribution thereof, 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 Appropriations.

**Senate Bill No. 343**, 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 of Chapter CXLIV (144) of the Laws of 1891 (Section 3973, Remington's Revised Statutes) and amending Section 8 of Chapter CXLIV (144) of the Laws of 1891 (Section 3979, Remington's Revised Statutes) and repealing Section 1, Chapter CXLIV (144) of the Laws of 1891 (Section 3972, Remington's Revised Statutes) and repealing Section 10 of Chapter CXLIV (144) of the Laws of 1891 (Section 3981, 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 Counties and County Boundaries.

**Senate Bill No. 344**, by Senator Gannon, entitled: "An Act providing for the investment of available county funds of Class A and first class counties and of certain municipal corporations within such counties, in warrants of such counties and municipal corporations of such counties by County Finance Committee and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Gannon 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. 345**, by Senator Nelson, entitled: "An Act relating to taxation; providing for a turnover tax on all transactions; and providing for the enforcement thereof; and prescribing penalties."

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

**Engrossed House Bill No. 85**, by Representative McCarty, entitled: "An Act relating to the hours of labor; providing penalties for the violation thereof; making exemptions in certain cases by a Board of Commerce and Labor; and repealing all acts or parts of acts in conflict therewith."

The bill was read the first time, and on motion of Senator Ryan (J. H.), the rules were suspended, the bill was read the second time by title, and referred to the Committee on Labor and Labor Statistics.

**Engrossed House Bill No. 158**, by Committee on Rules and Order (by executive request), entitled: "An Act relating to, and to promote efficiency, order and economy in the administration of the government of the state, prescribing the powers and duties of certain officers and departments, creating the department of public welfare and the department of finance, budget and business and the offices of director of public welfare and director of finance, budget and business and certain other offices connected therewith, abolishing the emergency relief administration, department of efficiency and department of business control, accepting the provisions of Federal legislation for old-age assistance and for aid in promoting child welfare, amending

Sections 2 and 3, Chapter 7, Laws of 1921, as amended by Chapter 18, Laws of 1925, Chapter 270, Laws of 1927, Chapter 115, Laws of 1929, and Chapter 3, Laws of 1933 (Sections 10760 and 10761, Remington's Revised Statutes), and declaring that the act shall take effect April 1, 1935."

The bill was read the first time, and on motion of Senator Peirce the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Welfare and Unemployment Relief.

**Engrossed House Bill No. 228**, by Representative Cohen (by request), entitled: "An Act relating to the deposit of public funds in banks by city treasurers, providing for the rate of interest thereon, creating city finance committees, prescribing the duties of such committees, amending Sections 5569 and 5572 of Remington's Revised Statutes, amending Chapter 103 of the Laws of 1905 by adding a new section thereto to be known as Section 4, amending Chapter 22 of the Laws of 1907 by adding a new section thereto to be known as Section 5, and declaring an emergency."

The bill was read the first time, and on motion of Senator Peirce 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. 262**, by Representative Hales, entitled: "An Act relating to the deposit of public funds in banks by the several county treasurers of this state and repealing Section 4 of Chapter 45 of the Laws of the Extraordinary Session of 1933."

The bill was read the first time, and on motion of Senator Norman the rules were suspended, the bill was read the second time by title, and referred to the Committee on Counties and County Boundaries.

**Engrossed House Bill No. 285**, by Representatives Copeland, Gessell, Edlund, McCarty and Cowen (by departmental request), entitled: "An Act relating to the provision for the adequate punishment of persons convicted of certain felonies, their rehabilitation while in confinement and the necessary supervision after their release to prevent recidivism, and defining the duties of the Board of Prison Terms and Paroles with relation thereto; repealing Sections 2278, 2281, 2282, 10247-9, 10291 and 10803 of Remington's Compiled Statutes and amending Section 2280 of Remington's Compiled Statutes and Chapters 140, 212, and 2195, Session Laws of 1927."

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 State Penal and Reformatory Institutions.

**House Bill No. 309**, by Representative Luck, entitled: "An Act prohibiting minors from applying for liquor store permits and purchasing liquor, providing penalty for violation thereof, and amending Section 37, Chapter 62, Extraordinary Session Laws, 1933."

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.

**Substitute Senate Bill No. 212**, by Committee on Judiciary, entitled: "An Act relating to and providing for the number, district and apportionment of the members of the Senate and House of Representatives of the State of Washington, providing for their selection, amending Sections 2 and 3 of

Chapter 2 of the Session Laws of 1931, and repealing Chapters 20 and 74 of the Session Laws of 1933."

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

**SPECIAL ORDER.**

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Engrossed House Bill No. 108.

**Engrossed House Bill No. 108:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 108, entitled: "An Act relating to city, town, county and regional planning and the creation, organization, duties and powers of planning commissions," 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, *Acting Chairman.*

We concur in this report: A. M. Murfin, Ralph Metcalf, Judson W. Shorett, H. I. Kyle, Chas. H. Todd, Fred S. Duggan, C. F. Stinson.

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 108, 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.*

I concur in this report: James A. Murphy.

On motion of Senator McAulay, the reports of the committee were received and the bill was read the third time.

Senator Tewksbury moved the adoption of the following amendment:

Amend Section 2, line 21 of the printed bill by striking the period (.) after the word "board" and in lieu thereof insert a colon (: ) and after the colon insert the following: "Provided, That in cities of the first class having a commission form of government consisting of three or more members, the Commissioner of Public Works shall appoint the said Planning Commission which appointment shall be confirmed by a majority of the city commissioners."

The motion carried.

Senator Murphy (James A.) moved the adoption of the following amendment:

Amend Section 4: in Section 4 strike in line 13, after the word "board" the rest of the section.

The motion by Senator Murphy (James A.) lost.

Senator Peirce moved the adoption of the following amendment:

Amend Section 9, line 20 of the printed bill, following the word "Board" insert a period (.) and strike the balance of the section.

The motion by Senator Peirce lost.

The Secretary called the roll on the final passage of Engrossed House Bill No. 108, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Norman, Nugent, Orndorff, Roland, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—29.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kyle, Maxwell, Morrow, Murphy (James A.), Peirce, Ryan (Scott M.), Thomas, Worum—12.

Absent or not voting: Senators Drumheller, Murphy (Kebel), Nelson, Reardon, Ronald—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 Roland gave notice that at the proper time he would move to reconsider the vote by which Engrossed House Bill No. 108 passed the Senate.

#### **SPECIAL ORDER.**

The Senate proceeded with the consideration of Senate Bill No. 212, which was made a special order of business for this hour.

Senator Stinson moved that Senate Bill No. 212 be made a special order of business for Monday at 11:00 o'clock a. m.

Senator Peirce moved that Senate Bill No. 212 be laid on the table.

The motion by Senator Peirce lost.

The motion by Senator Stinson carried.

Senator Miller moved that the Senate recess until 2:00 o'clock p. m.

The motion by Senator Miller lost.

On motion of Senator Drumheller, Senator Reardon was excused.

On motion of Senator Tewksbury, Senators Roland and Peirce were excused.

Senators Drumheller, Murfin and Lovejoy 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 except Senators Reardon, Roland and Peirce, who were excused.

On motion of Senator Lovejoy, the Senate proceeded under the call of the Senate.

#### **SPECIAL ORDER.**

The Senate proceeded with the consideration of Substitute Senate Bill No. 87, which was made a special order of business for this time.

Senator Lovejoy moved the adoption of the following amendment:

Amend Substitute Senate Bill No. 87 by inserting after the enacting clause a new section to be known as Section ½ to read as follows:

Section ½. That Section 7 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Section 7306-7 of Remington's Revised Statutes, be amended to read as follows:

Section 7. 1. An employee in a state liquor store may sell to any person who is the holder of a subsisting permit such liquor as that person is entitled to purchase under his permit.

2. No liquor sold under this section shall be delivered until

a. The purchaser has given a written order to the employee, dated and signed by the purchaser, and stating the number of his permit and the nature and quantity of the liquor ordered; and

b. The purchaser has produced his permit for inspection by the employee; and

c. The purchaser has paid for the liquor in cash.

3. *The Board may in its discretion provide or contract for the delivery of liquor from the state liquor stores to any person who is the holder of a subsisting permit. In the event the Board shall provide a delivery system, the conditions set forth in Sub-section 2 of this section shall be applicable to liquor sold and delivered.*

The motion by Senator Lovejoy lost.

Senator Miller moved the adoption of the following amendment:

Amend Section 5: Sub-section 2: Strike the whole thereof.

Senator Murfin moved that the amendment by Senator Miller be laid on the table without taking the bill with it.

The motion by Senator Murfin lost.

The motion by Senator Miller lost.

Senator Thomas moved the adoption of the following amendment:

Amend Section 6, Sub-section No. 37, lines 13 and 14: Strike paragraph 3.

The motion by Senator Thomas lost.

On motion of Senator Ryan (J. H.), the following amendment was adopted:

Amend Section 11 page 13 line 10 of the original substitute bill, the same being page 9, line 14 of the printed substitute bill by striking the period (.) after the word "located" and inserting in lieu thereof a comma (,) and adding the following: "and shall be placed in the general fund for payment of salaries of those engaged in the enforcement of the provisions of this act."

Senator Ferryman moved the adoption of the following amendment:

Amend Section No. 12, Sub-section 71, by striking all of said section in line 12 after \$5,000.00.

The motion by Senator Ferryman lost.

Senator Gannon moved the adoption of the following amendment:

Amend Section No. 12, page 9, line 43: after word "annually" strike semicolon (;), inserting in lieu thereof a period (.) and strike the balance of the sentence.

Senator Maxwell moved that the bill be indefinitely postponed.

Senator Todd moved that the motion by Senator Maxwell be laid on the table.

The motion by Senator Todd carried.

The motion by Senator Gannon lost.

Senator Drumheller moved the adoption of the following amendment:

Amend Section 15, Sub-section 5, strike Sub-section 5.

Senator Murphy (James A.) moved that the amendment by Senator Drumheller be laid on the table without taking the bill with it.

The motion by Senator Murphy (James A.) lost.

The motion by Senator Drumheller lost.

Senator Thomas moved the adoption of the following amendment:

Amend Section 93 of mimeographed bill, line 25: delete "with or without hard labor, or both."

The motion by Senator Thomas lost.

On motion of Senator Lovejoy, the committee amendments were adopted.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 87, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumbheller, Duggan, Gannon, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Miller, Nelson, Norman, Nugent, Orndorff, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—31.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Kyle, Malstrom, Maxwell, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Peirce, Ryan (Scott M.), Thomas—13.

Absent or not voting: Senators Reardon, Roland—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, the rules were suspended, and Substitute Senate Bill 87 was ordered engrossed and immediately transmitted to the House.

On motion of Senator Maxwell, the further call of the Senate was dispensed with.

The President signed Senate Bill No. 77.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 2, 1935.

MR. PRESIDENT:

The House failed to pass Engrossed House Bill No. 64 as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk.*

At 1:05 o'clock p. m., on motion of Senator Drumbheller, the Senate adjourned until 10:00 o'clock a. m. Monday.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FIFTIETH DAY

### MORNING SESSION.

#### SENATE CHAMBER,

OLYMPIA, WASH., Monday, March 4, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

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

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

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

The Secretary read:

**Senate Joint Memorial No. 24**, by Committee on Memorials: "Relating to Flood Control."

On motion of Senator Steele, the rules were suspended, the memorial was read the second time by title, ordered printed and placed on general file.

The Secretary read:

**Senate Joint Memorial No. 25**, by Senator McAulay: "Relating to the hop industry and petitioning Congress to make hops a basic commodity."

On motion of Senator McAulay, 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:

**House Joint Memorial No. 26**, by Representative Kemp: "Relating to national defense."

On motion of Senator Steele, the rules were suspended, the memorial was read the second time by title, and referred to the Committee on Memorials.

The Secretary read:

**Senate Concurrent Resolution No. 6**, by Senator Miller: "Relating to the closing of the business of the 1935 session of the legislature."

On motion of Senator Miller, the rules were suspended, the resolution read the second time by title, read the third time and placed on final passage.

Senator Stinson moved the adoption of the following amendment to Senate Concurrent Resolution No. 6:

Amend the resolution: strike "Free Conference Reports and."

Senator Miller moved that the rules be suspended and that the amendment be laid on the table without taking the resolution with it.

The motion to table lost.

The motion by Senator Stinson lost.

On motion of Senator Smith, Senate Concurrent Resolution No. 6 was referred to the Committee on Rules and Joint Rules.

The Secretary read:

**Senate Joint Resolution No. 22**, by Senator Murphy (James A.): "Relating to the submission of an amendment to Section 13 of Article 11 of the Constitution of the State of Washington, relating to the qualification of members of the legislature for such office and disqualifying them from the holding of other office in and being employed by the state."

On motion of Senator Murphy (James A.), 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 COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., March 2, 1935.

Your Committee on Engrossed Bills, to whom was referred Engrossed Substitute Senate Bill No. 87, entitled: "An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds, and amending Section 16, 23, 27, 30, 33, 37, 52, 55, 62, 69, 70, 71, 72, 90, 92 and 93 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Sections 7306-16, 7306-23, 7306-27, 7306-30, 7306-33, 7306-37, 7306-52, 7306-55, 7306-62, 7306-69, 7306-70, 7306-71, 7306-72, 7306-90, 7306-92, and 7306-93 of Remington's Revised Statutes, and declaring this act shall take effect immediately," have compared same with the original substitute bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, Paul Mehner.

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

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., March 2, 1935.

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 253, entitled: "An Act relating to the investment of current funds of the State of Washington by the state finance committee," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, W. C. Dawson.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., March 2, 1935.

We, your Committee on Education, to whom was referred Senate Bill No. 264, entitled: "An Act relating to motor vehicles and the license thereof; regulating the transportation of school children and/or students therein; and amending Chapter 98 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.

MARY U. FARQUHARSON, *Chairman.*

We concur in this report: W. R. Orndorff, Kathryn E. Malstrom, J. D. Bengtson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 2, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 301, entitled: "An Act relating to the organization of boards of directors of union high school districts, and amending Section 4756 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.

MARY U. FARQUHARSON, *Chairman*.

We concur in this report: W. R. Orndorff, Kathryn E. Malstrom, J. D. Bengtson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Joint Memorial No. 23: "Changing the name of Vancouver Barracks to Fort Vancouver," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Joint Resolution No. 24: "Relating to the area from which labor is employed on the Coulee and Bonneville projects," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 2, 1935.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 90, entitled: "An Act relating to floods, the alleviation of damage therefrom, and the regulatory control thereof, placing the administration of this act under the state supervisor of hydraulics, prescribing his authority and duties thereunder, 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. 90 be substituted therefor, and that it do pass.

EARL MAXWELL, *Chairman*.

We concur in this report: C. Nifty Garrett, Geo. F. McAulay, K. W. Reardon, Scott M. Ryan, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 2, 1935.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 113, entitled: "An Act relating to flood control, facilitating a policy therefor, providing for the creation of flood control districts with certain powers and duties, providing for certain state supervision and control thereof, authorizing contracts between flood

control districts and the United States, the state, counties, cities, towns, diking, drainage and waterway districts for flood control purposes, providing penalties for violations 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 Substitute Senate Bill No. 113 be substituted therefor, and that it do pass.

EARL MAXWELL, *Chairman*.

We concur in this report: C. Nifty Garrett, Geo. F. McAulay, K. W. Reardon, J. W. Thein, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 2, 1935.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Senate Bill No. 330, entitled: "An Act relating to intoxicating liquors and empowering the Washington State Liquor Control Board to appoint agents authorized to dispense spirituous liquor by the glass or drink; amending Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington by adding thereto a new section to be known as Section 76, 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: W. R. Orndorff, G. B. Kerstetter, D. O. Nugent, Joseph Drumheller, J. P. Keller, J. W. Thein, J. H. Ryan, Paul Mehner, Chas. H. Todd.

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

A majority of the Committee on Public Utilities recommended that Senate Bill No. 336 do pass.

A minority of the Committee on Public Utilities recommended that Senate Bill No. 336 do not pass.

The reports of the committee, together with the bill, were placed on general file.

A majority of the Committee on Public Utilities recommended that House Bill No. 139 do pass.

A minority of the Committee on Public Utilities recommended that House Bill No. 139 do not pass.

The reports of the committee, together with the bill, were placed on general file.

A majority of the Committee on Public Utilities recommended that Senate Bill No. 318 be re-referred to the Committee on Judiciary.

A minority of the Committee on Public Utilities recommended that Senate Bill No. 318 do not be re-referred to the Committee on Judiciary.

On motion of Senator Miller, Senate Bill No. 318 was placed on general file.

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 513; also

The Speaker has signed House Bill No. 63, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 2, 1935.

## MR. PRESIDENT:

The Speaker has signed Senate Bill No. 77; also  
 The House has adopted House Joint Resolution No. 25; also  
 Senate Joint Resolution No. 21; also  
 The House has passed House Bill No. 518; also  
 The House has passed Engrossed Substitute House Bill No. 483, and the same  
 are herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 3, 1935.

## MR. PRESIDENT:

The House has passed Engrossed House Bill No. 276; also  
 House Bill No. 398, and the same are herewith transmitted.  
 S. R. HOLCOMB, *Chief Clerk*.

The President signed House Bill No. 63.

Senator Miller moved that the Committee on Judiciary be discharged  
 from further consideration of Senate Bill No. 70.

Senator Duggan moved that the motion by Senator Miller be laid on the  
 table.

Senators Kyle, Farquharson, Thomas, Malstrom, Kerstetter, Gannon,  
 Miller and Keller demanded a roll call on the motion by Senator Duggan.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey,  
 Dawson, Drumheller, Duggan, Ferryman, Keller, Knutzen, Lovejoy, McAulay,  
 McMillan, Metcalf, Murfin, Norman, Orndorff, Reardon, Ronald, Smith,  
 Steele, Stinson, Thein, Todd—24.

Those voting nay were: Senators Farquharson, Gannon, Kerstetter, Kyle,  
 Malstrom, Maxwell, Mehner, Miller, Murphy (James A.), Nelson, Roland,  
 Ryan (Scott M.), Shorett, Tewksbury, Thomas—15.

Absent or not voting: Senators Garrett, Morrow, Murphy (Kebel), Nu-  
 gent, Peirce, Ryan (J. H.), Worum—7.

## INTRODUCTION OF BILLS.

**Senate Bill No. 346**, by Senator Smith, entitled: "An Act validating, rati-  
 fying, approving, confirming and declaring valid proceedings heretofore  
 taken for the authorization and issuance of bonds by any city or town for  
 the purpose of financing in whole or in part the construction, reconstruction,  
 replacement, enlargement, extension, repairing or improvement of its  
 waterworks system including all property, real and personal, appurtenant  
 thereto or connected therewith, authorizing the completion of such pro-  
 ceedings and the issuance of bonds pursuant thereto and declaring such  
 bonds binding, legal, valid and enforceable obligations of such city or town,  
 and declaring an emergency."

The bill was read the first time, and on motion of Senator Smith, 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 Kyle, entitled: "An Act relating to the  
 production, transportation and distribution of petroleum, crude oil, Diesel

oil, coal-oil and gasoline in the State of Washington and declaring the same to be a public utility 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 Public Utilities.

**Senate Bill No. 348**, by Senators Ryan and Brunton, entitled: "An Act relating to public roads in the State of Washington, and providing for the use of a portion of the receipts of the motor vehicle fund; creating the secondary highway fund; classifying the public roads of the state as primary and secondary roads; and providing how and by whom the same shall be administered; affecting the authority of state and county officials to perform work upon state roads by force account or day labor; amending Chapter 41 of the Laws of 1933 as amended by Chapter 168 of the Laws of 1933; repealing all acts in conflict herewith and re-enacting the provisions of Chapter 41 of the Laws of 1933 as amended by Chapter 168 of the Laws of 1933 except as amended herein; making appropriations and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Brunton, 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. 349**, by Senator Shorett, entitled: "An Act relating to attorney's fees in suit or actions brought upon any policy of insurance."

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. 350**, by Senator Shorett, entitled: "An Act providing for relief from involuntary unemployment, declaring the public policy of the state; providing contributions by employers for an Unemployment Compensation Fund; defining conditions of eligibility for and regulating benefits; establishing a procedure for the settlement of benefit claims and providing for court review thereof; creating an Unemployment Compensation Commission and defining the powers and duties thereof; accepting the provisions of the Wagner-Peyser Act of the United States Government; permitting reciprocal benefit arrangements with the states; providing penalties for the violation of the provisions of this act; making appropriations for the payment of the expenses in the administration thereof, and for the payment of claims out of the special funds established herein and for purposes specified or to be specified in certain acts of Congress; declaring an emergency and providing 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, ordered printed and referred to the Committee on Judiciary.

On motion of Senator Shorett, 500 additional copies of Senate Bill No. 350 were ordered printed.

**Senate Bill No. 351**, by Committee on Rules and Joint Rules, entitled: "An Act appropriating the additional sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary, for the printing of the Twenty-fourth Legislature of the State of Washington; and declaring an emergency."

The bill was read the first time, and on motion of Senator Steele, the

rules were suspended, the bill was read the second time by title, ordered printed, and placed on general file.

**Senate Bill No. 352**, by Committee on Rules and Joint Rules, entitled: "An Act appropriating the additional sum of thirty thousand dollars (\$30,000.00), or so much thereof as may be necessary, for the expenses of the Twenty-fourth Legislature of the State of Washington; and declaring an emergency."

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

**Senate Bill No. 353**, by Committee on Liquor Control, entitled: "An Act relating to intoxicating liquors, amending Section 78 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington (Section 7306-78 Rem. Rev. Stat.) 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 placed on general file.

**Senate Bill No. 354**, by Senator Morrow, entitled: "An Act relating to taxation; exempting buildings and improvements."

The bill was read the first time, and on motion of Senator Morrow, 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. 355**, by Senator Morrow, entitled: "An Act relating to taxation and imposing a tax upon gross rentals."

The bill was read the first time, and on motion of Senator Morrow, 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. 356**, by Senator Shorett, entitled: "An Act extending the provisions of the uniform business corporation act relative to consolidations, mergers and dissolutions, to all domestic corporations; and validating prior consolidations, mergers and dissolutions thereunder."

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 Corporations Other Than Municipal.

**Senate Bill No. 357**, by Senator Garrett, entitled: "An Act relating to certain county offices in certain counties, defining their powers and duties, abolishing elective office of County Engineer and vesting the powers and duties of that office in the Board of County Commissioners."

The bill was read the first time, and on motion of Senator Garrett 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. 358**, by Senator Peirce, entitled: "An Act relating to building materials, providing a basing point for prices thereon, defining offenses and declaring this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Peirce 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. 359**, by Senator Bengtson, entitled: "An Act relating to the apportionment of the state current school fund to the counties of the state for the use of the school districts within each county, amending Section 4873, Remington's Compiled Statutes, as amended by Section 5, Chapter 28, Laws of 1933."

The bill was read the first time, and on motion of Senator Bengtson 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. 360**, by Senator Miller (by request), entitled: "An Act providing for an appropriation for the erection of a monument as a memorial to the memory of the Alaskan Yukon pioneers."

The bill was read the first time, and on motion of Senator Miller 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. 361**, by Senator Murphy (J. A.), (by request), entitled: "An Act providing for the relief of Mrs. Alma Peterson."

The bill was read the first time, and on motion of Senator Murphy (James A.) 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. 362**, by Senators Barnes, Knutzen, Tewksbury, Garrett and Maxwell, entitled: "An Act relating to flood control and providing for the improvement of rivers by counties."

The bill was read the first time, and on motion of Senator Barnes 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. 363**, by Senators Barnes, Knutzen, Tewksbury, Garrett and Maxwell, entitled: "An Act relating to flood control, providing for a state policy therefor in cooperation with the United States and flood control districts in this state, granting certain powers to counties, cities, towns, diking, drainage and waterway districts in relation thereto, 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 Barnes 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. 364**, by Senators Maxwell, Barnes, Knutzen, Tewksbury and Garrett, entitled: "An Act relating to flood control, providing a state policy of participation therein with the United States and with flood control districts, and counties acting jointly in the control of rivers subject to flood conditions, through the agency of the state department of conservation and development, creating a debt, authorizing the issuance and sale of state bonds for payment of the principal and interest of said bonds for such object, creating a sinking fund, to be known as 'General Obligation Bonds of 1936 Retirement Fund,' making an appropriation therefor, and submitting this act to the people for their approval or rejection at the general election in November, 1936."

The bill was read the first time, and on motion of Senator Barnes 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. 365**, by Senators Mehner, Orndorff and Tewksbury, entitled: "An Act relating to education and providing for school revenues and disbursements; establishing a minimum school year of 180 days and a minimum annual salary for teachers of nine hundred dollars and providing emergency state financial aid to maintain such minimum standards; establishing an emergency state current school equalization fund, providing revenues therefor and for the disbursement thereof; providing for an official investigation of the public school finance system; repealing all acts or parts of acts in conflict herewith; making an appropriation; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Mehner 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. 366**, by Senator Lovejoy, entitled: "An Act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and/or projects to provide dwelling accommodations for persons of low income; to provide for the creation of such housing authorities; and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of housing authorities; to provide that the bonds of the authority shall be legal investments; to provide that housing authorities, their property and securities shall be tax exempt; and to declare 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. 367**, by Senator Miller, entitled: "An Act relating to public employees, providing for the wearing of a distinctive uniform and providing penalties for violation hereof."

The bill was read the first time, and on motion of Senator Miller 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.

**Engrossed Substitute House Bill No. 190**, by Judiciary Committee, entitled: "An Act to establish law library funds in counties of the second and third and fourth classes and providing for the expenditure and use thereof, and amending Section 1, Chapter 94, of the Laws of the Extraordinary Session, 1925, as amended by Section 1 of Chapter 167 of Laws of 1933."

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

**House Bill No. 218**, by Representatives Richmond (W. A.), Bell, Schroeder and Herren, entitled: "An Act relating to the public schools; authorizing, empowering and making it mandatory for cities operating public utilities having plants for the generation of electricity located in school districts outside of the corporate limits of such cities to provide for educating the children of their employees at such school districts; repealing Chapter

77, Laws of 1929 (Section 4680-5, Remington's Revised Statutes), and declaring an emergency."

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 Education.

**Engrossed House Bill No. 238**, by Representative Wanamaker, entitled: "An Act relating to and regulating the practice of the profession of engineering and land surveying, defining the powers and duties of certain officers; providing penalties for violations thereof and making an appropriation."

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

**Engrossed House Bill No. 276**, by Representative Keith, entitled: "An Act relating to certified public accountants and amending Section 8268, Remington's Compiled Statutes, by adding three new sections."

The bill was read the first time, and on motion of Senator Steele 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. 398**, by Judiciary Committee, entitled: "An Act relating to taxation, extending the time within which actions for the recovery of taxes may be brought, amending Section 6, Chapter 62, Laws of 1931, and declaring that the act shall take effect immediately."

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

**Engrossed Substitute House Bill No. 483**, by Committee on Roads and Bridges, entitled: "An Act relating to transportation of freight by motor vehicles over the public highways of the State of Washington, providing for the supervision, regulation and taxation thereof, and the payment of fees thereby, providing penalties for the violation of this act, and repealing Chapter 55, Laws of Extraordinary Session 1933, Chapter 166, Laws of 1933, laws or parts of laws thereof in Chapter 96 and Chapter 111, Laws of 1921, and other laws inconsistent with or in conflict with this act, and declaring an emergency."

The bill was read the first time, and on motion of Senator Ronald 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. 507**, by Committee on Reclamation and Irrigation, entitled: "An Act relating to the organization and government of irrigation districts, the redistribution of costs in local improvement districts and the creation of a local improvement district guarantee fund and adding two new sections to Remington's Compiled Statutes to be known as 7464-1 and 7464-2 and providing that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Thein 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. 513**, by Representatives Yantis, Schroeder, Schultz, Johnson (W. A.), Klemgard, Holt, Wentworth, Van Dyk, Murray,

McDonnell, Gessell, Karr, Gardner, Martin (F. J.), Keen, Halleran, Haddon, Johnson (Hans), Christianson, Skinner, Neal, Hall, Richmond (W. A.), Clark, Reeves, Titus, Bohlke, McDonald (D. A.), Herren, Edlund, Smith (B. L.), McAulay, Cowen, Wanamaker, Drew, Ledgerwood, Parker, Wiswall, Voyce, McDonald (J. D.), Smith (J. B.), Nelsen, Carty, Twidwell, Brown, Devenish, Jones, Ott, Easterday, Gehlen, Johnston (Geo. H.), McCarty, Ford, Kelly, Morgan, Dixon and Lindgren, entitled: "An Act relating to taxation; providing revenues for support of the state government by means of taxes with respect to the income of residents of the state and fiduciaries, for the privilege of receiving income therein while enjoying the protection of its laws; providing for the assessment, collection and distribution of such taxes; defining the powers and duties of certain officers in connection therewith; prescribing penalties; making an appropriation, and 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 Mehner 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. 518**, by Representative Edwards, entitled: "An Act relating to crime and amending Section 2424 and Section 2427 of Remington's Revised Statutes."

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

**Substitute Senate Bill No. 90**, by Committee on Flood Control, entitled: "An Act relating to floods, the alleviation of damage therefrom, and the regulatory control thereof, placing the administration of this act under the state supervisor of hydraulics, prescribing his authority and duties thereunder, 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 placed on general file.

**Substitute Senate Bill No. 113**, by Committee on Flood Control, entitled: "An Act relating to flood control, facilitating a policy therefor, providing for the creation of flood control districts with certain powers and duties, providing for certain state supervision and control thereof, authorizing contracts between flood control districts and the United States, the state, counties, cities, towns, diking, drainage and waterway districts for flood control purposes, providing penalties for violations thereof 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 placed on general file.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

MR. PRESIDENT: HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 4, 1935.

The House has concurred in the Senate amendment to Engrossed House Bill No. 108 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

Senator Miller stated that Engrossed House Bill No. 108 had been transmitted to the House although he had given notice of reconsideration on said bill on Saturday, and that he wanted the bill returned to the Senate in its original form.

The President asked Senator Miller if he desired to make a motion that the House be requested to return the bill to the Senate.

Senator Miller stated he would not make such a motion but that he wanted the bill returned to the Senate in its original form.

#### SPECIAL ORDER.

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Substitute Senate Bill No. 212.

Senator Dailey moved that Substitute Senate Bill No. 212 be indefinitely postponed.

Senators Ryan (J. H.), Miller, Smith, Bengston, Kyle, Ferryman, Shorett and Dailey demanded a roll call on the motion by Senator Dailey.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Dailey and it lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Stinson, Thomas—15.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Ronald, Shorett, Smith, Steele, Thein—22.

Absent or not voting: Senators Drumheller, Duggan, Gannon, Murphy (Kebel), Nugent, Peirce, Tewksbury, Todd, Worum—9.

On motion of Senator Miller, Senator Murphy (Kebel) was excused.

On motion of Senator Steele, Senators Worum, Peirce and Nugent were excused.

Senators McAulay, Steele and Murfin 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 except Senators Worum, Peirce and Nugent, who were excused.

On motion of Senator Lovejoy the Senate proceeded under the call of the Senate.

Senator Barnes moved the adoption of the following amendment:

Amend Section 2, page 9, line 14 of the original and mimeographed bill; strike the period (.) at the end of line and add the following: "not more than one of whom shall be a resident of and qualified elector in the same county."

Senator Kerstetter moved that the rules be suspended and that the amendment by Senator Barnes be laid on the table.

The motion by Senator Kerstetter lost.

The motion by Senator Barnes was carried.

On motion of Senator Stinson the following amendment was adopted:

Amend page 9, lines 8 and 9 of the original substitute bill, same being page 9, lines 8 and 9 of the mimeographed bill, by striking after the word "representatives"

the following words: "*both of whom shall not be residents and electors of the same county.*" and add a period (.).

On motion of Senator Todd the further call of the Senate was dispensed with.

At 12:30 o'clock p. m., on motion of Senator Steele, the Senate recessed until 2:00 o'clock p. m.

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### AFTERNOON SESSION.

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The Senate reconvened at 2:00 o'clock p. m., President Meyers in the chair.

Senators Murfin, Shorett and McAulay 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 except Senator Worum, who was excused.

On motion of Senator Steele, the Senate proceeded under the call of the Senate.

The President stated the Senate would continue to consider Substitute Senate Bill No. 212.

#### **Substitute Senate Bill No. 212:**

On motion of Senator Stinson the following amendment was adopted:

Amend page 13, line 24 of the original substitute bill, the same being page 13, line 24 of the mimeographed bill, by striking after the figure "13th" and before the word "and" the figure "16th."

On motion of Senator Stinson, the following amendment was adopted:

Amend page 14, line 5 of the original substitute bill, the same being page 14, line 5 of the mimeographed bill, by striking after the figure "13th" and before the word "and" the figure "16th."

On motion of Senator Norman the following amendment was adopted:

Amend Section 3, page 13 of the mimeographed bill after the word "16th" add a comma (,) and the word "18th." Also Section 3, page 14, line 5 of the mimeographed bill, after the word "16th" add a comma (,) and the word "18th."

On motion of Senator Morrow the following amendment was adopted:

Amend page 14, line 22 of the original and mimeographed substitute Senate bill: after the figures "1934." strike the period (.) and insert the following: "nor shall anything in this act contained be construed as in any respect modifying, changing, or amending the provisions of Section 4 of Chapter 2 of the Session Laws of 1931 (Section 8137-4 of Remington's Revised Statutes), but the election and terms of Senators shall be governed by said chapter and section."

The Secretary called the roll on the final passage of Senate Bill No. 212, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—33.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Lovejoy, Miller, Murphy (Kebel), Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—12.

Absent or not voting: Senator Worum—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 Reardon gave notice that at the proper time he would move to reconsider the vote by which Substitute Senate Bill No. 212 passed the Senate.

#### GENERAL FILE.

#### Substitute Senate Bill No. 86:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 14, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Substitute Senate Bill No. 86, entitled: "An Act providing that banks and trust companies which are members of the Federal Deposit Insurance Corporation shall not be compelled to comply with Sections 11 to 18, inclusive, of Chapter 42, Laws of 1933, which sections provide for a segregated savings department; and providing for the handling of savings deposits by such banks and trust companies," 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 Substitute Senate Bill No. 86 by striking everything after the enacting clause and inserting the following in lieu thereof:

"SECTION 1. That any bank or trust company which shall conduct a savings account department shall repay all deposits to the depositor or his lawful representative when required at such time or times and with such interest as the regulations of the corporation shall prescribe. A pass book shall be issued to each savings account depositor, containing the rules and regulations prescribed by the corporation, covering such deposits, in which shall be entered each deposit by and each payment to such depositor, and no payment or checks against any savings account shall be made unless accompanied by and entered in the pass book issued therefor, except for good cause and assurance satisfactory to the corporation.

"SEC. 2. That Sections 11 to 18, both inclusive, Chapter 42, Laws of 1933 (Remington's Revised Statutes 3244-1 to 3244-3, both inclusive, 3245, 3245-1, 3246, 3246-1 and 3253-1; Pierce's Washington Code 287-1, 287-2, 287-3, 288, 288-1, 289, 289-1 and 296-1) be and the same are hereby repealed."

Amend the title by striking the whole thereof and inserting the following in lieu thereof:

"AN ACT relating to banks and trust companies other than mutual savings banks; providing for separate accounts for savings deposits and the repayment thereof; repealing Sections 11 to 18, both inclusive, Chapter 42, Laws of 1933 (Remington's Revised Statutes 3244-1 to 3244-3, both inclusive, 3245, 3245-1, 3246, 3246-1 and 3253-1; Pierce's Washington Code Sections 287-1, 287-2, 287-3, 288, 288-1, 289, 289-1 and 296-1."

Geo. H. GANNON, *Chairman.*

We concur in this report: Judson W. Shorett, E. L. Brunton, Geo. A. Lovejoy, Kathryn E. Malstrom, S. C. Roland, Fred S. Duggan, Fred Norman, Joseph Drumheller, A. M. Murfin.

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

On motion of Senator Gannon the committee amendments were adopted.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 86, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—42.

Those voting nay were: Senators Mehner, Peirce, Ryan (Scott M.)—3.  
Absent or not voting: Senator Worum—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 Gannon, the rules were suspended and Substitute Senate Bill No. 86 was ordered engrossed and immediately transmitted to the House.

#### MOTION TO AMEND RULES.

Senator Reardon moved to amend Senate Rule No. 37 to read as follows:

##### “PRECEDENCE OF MOTIONS.

“Rule 37. When a question is under debate, no motion shall be received but the following, in the rank named:

- 1st rank: Question of consideration.
- 2nd rank: To lay on the table.
- 3rd rank: For the previous question.
- 4th rank: To postpone to a day certain.  
To commit or recommit.  
To postpone indefinitely.
- 5th rank: To amend.

“No motion to postpone to a day certain, to commit, to postpone indefinitely, being decided, shall again be allowed on the same day and at the same stage of the proceedings, and when a question has been postponed indefinitely it shall not again be introduced during the session.

“No motion to lay an amendment on the table shall carry the main question with it unless the motion so provides.”

Senator Maxwell moved to amend Senator Reardon’s amendment as follows:

Strike out the last paragraph and substitute the following:

“A motion to lay an amendment on the table without taking the main question with it shall be decided by a majority vote.”

The motion by Senator Maxwell carried.

The motion by Senator Reardon, as amended, carried.

#### GENERAL FILE.

**Senate Bill No. 85:**

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 13, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 85, entitled: “An Act relating to drugs and medicine; regulating the sale and dispensing thereof; requiring licenses and registrations for the privilege of selling, dispensing and compounding the same, and fixing

fees therefor; creating a state board of pharmacy, and prescribing their powers and duties with respect thereto; prescribing penalties; amending Sections 10, 11, 13 and 17-c of Chapter CXXI (121), Laws of 1899; repealing all acts and parts of acts in conflict therewith; 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 with the following amendment:

In the printed bill: page 3, Section 6 beginning line 40, strike the words "shopkeeper or other person who shall sell any patent, proprietary or commonly used medicines placed in sealed packages and," insert the word "person."

In the original bill it is page 5, Section 6, beginning line 20 "shopkeeper" through the word "and" line 22.

D. O. NUGENT, *Chairman.*

We concur in this report: Edmund J. Miller, G. B. Kerstetter, Paul G. Thomas, Kathryn E. Malstrom.

SENATE CHAMBER,

OLYMPIA, WASH., February 13, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Senate Bill No. 85, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

I concur in this report: H. L. Nelson.

On motion of Senator Nugent the reports of the committee were received and the bill was read the third time.

Senator Nelson moved that Senate Bill No. 85 be re-referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

The motion lost.

On motion of Senator Ferryman, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 85.

The bill was considered in the committee of the whole, Senator Ronald in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Maxwell, the following amendments made in the committee of the whole were adopted:

Amend Section 4, line 36, page 2 of the printed bill; change the word "six" to read "two."

Amend Section 4, line 37, page 2 of the printed bill; change the word "six" to read "two."

Amend Section 5, page 2 of the printed bill; following line 39 add: "That Section 16 of Chapter 121 of the Session Laws of 1899 be amended to read as follows:

"SEC. 16. Every itinerant vendor or any peddler of any medicine, drug, nostrum or ointment or preparation for the treatment of disease or injury desiring to secure the benefit privileges or benefits of this act is hereby required to secure a vendor's license; and he or she shall pay the sum of two dollars for the same and annually thereafter the sum of two dollars for the renewal of the same."

Amend Section 6, on page 3, line 36; after "shopkeepers" insert "itinerant vendors, peddlers or salesmen."

Amend Section 6, on page 3, line 39; after "shopkeeper" insert "itinerant vendor, salesman or peddler."

Amend Senate Bill No. 85 by adding after Section 6 a new section to be numbered Section 7, and to read as follows:

"SEC. 7. That Section 16, of Chapter CXXI (121) of the Laws of 1899, being Section 10141 of Remington's Revised Statutes, be and the same is hereby amended to read as follows:

"Section 16. Any itinerant vendor, shopkeeper, or any peddler of any medicine, drug, nostrum or ointment or preparation for the treatment of disease or injury, shall pay a license fee of two dollars annually on or before the first day of June. \* \*

\* \* \* The State Board of Pharmacy shall issue a license to such itinerant vendor or peddler on application made to the State Board of Pharmacy, such license to be

signed by the President and attested by the Secretary with the seal of the board. Any such itinerant vendor or peddler who shall vend or sell, or offer to sell any such medicine, drug, nostrum or ointment or preparation without having a license to do so as herein provided, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than twenty dollars and not exceeding fifty dollars, for such offense, and each sale or offer to sell shall constitute a separate offense."

Amend further by changing the numbers of Sections 7, 8, 9, 10, 11 and 12, to 8, 9, 10, 11, 12 and 13 respectively.

Amend Section 9 (being Section 10 as renumbered by amendment) by striking all of said section and adding in lieu thereof the following words: "Sec. 10. All moneys received by the state treasurer under the provisions of this act shall be paid into the general fund of the state."

Amend Section 12 (being Section 13 as renumbered by amendment), being line 12, page 5 of the printed bill, by striking the period (.) after the word "act" and inserting a comma (,), and by adding the following words: "*Provided*, That disbursements hereunder shall not exceed receipts."

Amend the title of Senate Bill No. 85 by inserting in the 5th line thereof the number "16" between the number "13" and the word "and."

On motion of Senator Reardon, the Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Joint Resolution No. 21: "Providing for a joint meeting with members of the Oregon Roads and Bridges Committee of the legislature of the State of Oregon in session assembled," have compared same with the engrossed resolution and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff the report of the committee was received.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Senate Bill No. 307, entitled: "An Act relating to the Department of Business Control and authorizing said department to purchase or lease certain lands," 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: J. P. Keller, Scott M. Ryan, A. M. Murfin, Fred S. Duggan, D. O. Nugent, Keibel Murphy.

On motion of Senator Reardon the report of the committee was received and the bill was placed on general file.

A majority of the Committee on Game and Game Fish recommended that Senate Bill No. 283 do pass.

A minority of the Committee on Game and Game Fish recommended that Senate Bill No. 283 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The President stated that the Senate would continue the consideration of Senate Bill No. 85.

**Senate Bill No. 85:**

Senator Ryan (J. H.) 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. 85, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Gannon, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd—31.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Garrett, McAulay, Nelson, Peirce, Reardon, Roland, Stinson—14.

Absent or not voting: Senator Worum—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 Murphy (James A.), the rules were suspended, Senate Bill No. 85 was ordered engrossed and immediately transmitted to the House.

On motion of Senator Gannon, Senate Bill No. 37 was placed at the end of today's calendar.

On motion of Senator Kyle, the further call of the Senate was dispensed with.

At 4:35 o'clock p. m., on motion of Senator Peirce, the Senate recessed until 7:30 o'clock p. m.

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**EVENING SESSION.**

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The Senate reconvened at 7:30 o'clock p. m., President Meyers in the chair.

On motion of Senator Steele, Senator Gannon was excused.

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Substitute Senate Bill No. 86, entitled: "An Act relating to banks and trust companies other than mutual savings banks; providing for separate accounts for savings deposits and the repayment thereof; repealing Sections 11 to 18, both inclusive, Chapter 42, Laws of 1933 (Remington's Revised Statutes 3244-1 to 3244-3, both inclusive, 3245,

3245-1, 3246, 3246-1 and 3253-1; Pierce's Washington Code Section 287-1, 287-2, 287-3, 288, 288-1, 289, 289-1 and 296-1," have compared same with the substitute bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, P. Frank Morrow.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 81, entitled: "An Act relating to the welfare of dependent and delinquent children; and amending Section 1987-3, Remington's Compiled 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.

E. N. STEELE, *Chairman*.

We concur in this report: Geo. F. McAulay, A. M. Murfin, C. F. Stinson, Judson W. Shorett, E. L. Brunton, J. A. Murphy, Chas. H. Todd, Fred S. Duggan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 120, entitled: "An Act relating to exemptions of property from attachment and execution, and amending Section 563 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.

E. N. STEELE, *Chairman*.

We concur in this report: Geo. F. McAulay, A. M. Murfin, C. F. Stinson, Judson W. Shorett, E. L. Brunton, Chas. H. Todd, Fred S. Duggan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 139, entitled: "An Act relating to the issuance of search warrants in certain cases, and providing for the service thereof," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman*.

We concur in this report: Geo. F. McAulay, A. M. Murfin, C. F. Stinson, Judson W. Shorett, E. L. Brunton, Chas. H. Todd, Fred S. Duggan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 221, entitled: "An Act classifying counties by population, providing for the election of county officers and in certain classes of counties of certain officers who shall exercise the powers and perform the duties of two or more officers, and defining their powers and duties, and fixing the compensation of county officers, and amending Section 6 of Chapter 136, Laws of 1933, being Section 4200-5a of Remington's Revised Statutes,

Supplement," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman*.

We concur in this report: Geo. F. McAulay, A. M. Murfin, E. L. Brunton, C. F. Stinson, Judson W. Shorett, Fred S. Duggan, J. A. Murphy, Chas. H. Todd.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 275, entitled: "An Act relating to insurance, prescribing the standard form of policies of fire insurance in the state, and amending Section 106, Chapter 49, Laws of 1911, as amended by Section 12, Chapter 177, Laws of 1915 (Section 7152 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.

C. NIFTY GARRETT, *Chairman*.

We concur in this report: Geo. A. Lovejoy, C. F. Stinson, E. L. Brunton, Judson W. Shorett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 338, entitled: "An Act relating to the exemption of certain societies from the laws relating to fraternal insurance and amending Section 7288 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.

C. NIFTY GARRETT, *Chairman*.

We concur in this report: Geo. A. Lovejoy, C. F. Stinson, E. L. Brunton, W. R. Orndorff, Judson W. Shorett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 362, entitled: "An Act relating to flood control and providing for the improvement of rivers by counties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

EARL MAXWELL, *Chairman*.

We concur in this report: L. E. Tewksbury, Scott M. Ryan, J. W. Thein, H. I. Kyle, W. J. Knutzen, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 363, entitled: "An Act relating to flood control, providing for a state policy therefor in co-operation with the United States and flood control districts in this state, granting certain powers to counties, cities, towns, diking, drainage and waterway districts in relation thereto, making an appropriation therefor and declaring that this act shall take ef-

fect immediately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

EARL MAXWELL, *Chairman*.

We concur in this report: L. E. Tewksbury, H. I. Kyle, J. W. Thein, Scott M. Ryan, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 364, entitled: "An Act relating to flood control, providing a state policy of participation therein with the United States and with flood control districts, and counties acting jointly in the control of rivers subject to flood conditions, through the agency of the state department of conservation and development, creating a debt, authorizing the issuance and sale of state bonds for payment of the principal and interest of said bonds for such object, creating a sinking fund, to be known as 'General Obligation Bonds of 1936 Retirement Fund,' making an appropriation therefor, and submitting this act to the people for their approval or rejection at the general election in November, 1936," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

EARL MAXWELL, *Chairman*.

We concur in this report: L. E. Tewksbury, H. I. Kyle, J. W. Thein, C. Nifty Garrett, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Engrossed House Bill No. 5, entitled: "An Act relating to the practice of chiropody, defining 'Chiropodist' and providing for the suspension and renewal of certificates to practice chiropody, extending the right to practice to practitioners of other states, amending Sections 1, 4, 6, and 10 of Chapter 38 of the Laws of 1917, and Section 10 of Chapter 120 of the Laws of 1921," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

D. O. NUGENT, *Chairman*.

We concur in this report: H. L. Nelson, Edmund J. Miller, Horace E. Smith, G. B. Kerstetter, Paul G. Thomas, Earl Maxwell, Kathryn E. Malstrom.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Joint Memorial No. 26: "Relating to national defense," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Joint Memorial No. 30: "Petitioning the Congress of the United States to amend the Federal Narcotic laws, and more particularly the act of February 9, 1909, as amended by the act of January 17, 1914, entitled "An Act to amend an act entitled 'An act to prohibit the importation and use of opium for other than medicinal purposes, approved February

9, 1909," as amended by the acts of May 26, 1922, and June 7, 1924, and providing for the deportation of any alien who is convicted of violating the narcotic laws of any of the several States of the Union," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Senate Joint Memorial No. 25: "Relating to the hop industry and petitioning Congress to make hops a basic commodity," 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: Earl Maxwell, Scott M. Ryan.

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

The Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Engrossed Substitute House Bill No. 46 do pass, with certain amendments.

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

#### GENERAL FILE.

**Substitute Senate Bill No. 55**, by Committee on Roads and Bridges, entitled: "An Act creating a Washington State Highway Code, defining terms and creating certain state funds; providing the ownership of vehicles, the licensing of vehicles, the licensing of motor vehicle operators, and providing an excise tax on motor vehicle fuel and for refunds; relating to Federal Aid on public highways and acquisition of lands for public highway purposes; classifying public highways; providing for the financing, administering, constructing, maintaining and supervising of public highways; providing for the regulation of equipment and operation of vehicles; providing for enforcement; defining offenses and fixing penalties; repealing certain acts and parts of acts, providing constitutionality and declaring an emergency; the details whereof are more fully set forth in Section 1 of this act, which details are incorporated herein," was read the third time.

Senators Todd, Ryan (J. H.) and Norman 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 except Senators Gannon and Worum, who were excused.

On motion of Senator Ferryman, the Senate proceeded under the call of the Senate.

Senator Maxwell moved that Substitute Senate Bill No. 55 be made a special order of business for tomorrow at 7:30 o'clock p. m.

Senators Ryan (J. H.), Kyle, Murphy (Kebel), McAulay, Miller, Norman, Ronald and Murphy (James A.) demanded a roll call on the motion by Senator Maxwell.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Maxwell and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—15.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—29.

Absent or not voting: Senators Gannon, Worum—2.

Senator Nugent moved that Substitute Senate Bill No. 55 be indefinitely postponed.

Senators Reardon, Nugent, Norman, Kyle, Roland, Maxwell, Murphy (James A.) and Miller demanded a roll call on the motion by Senator Nugent.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Nugent and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Kerstetter, Kyle, Malstrom, Maxwell, Morrow, Murphy (James A.), Nugent, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—14.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—30.

Absent or not voting: Senators Gannon, Worum—2.

Senator Maxwell moved the adoption of the following amendment:

Amend Section 1, page 1, line 1 of the Substitute printed bill, by striking the word "details" and inserting in lieu thereof "provisions."

Senator Murfin moved that the amendment by Senator Maxwell be laid on the table.

The motion by Senator Murfin lost.

Senator Smith moved that the amendment by Senator Maxwell be laid on the table without taking the bill with it.

The motion by Senator Smith carried.

Senator Maxwell moved the adoption of the following amendment:

Amend Section 1, page 1, line 2, of the Substitute printed bill, by inserting after the word "to" in said line the words: "the construction, maintenance and repair of," and also to amend said line by adding after the word "and" in said line the following: "Operation of motor."

The motion by Senator Maxwell lost.

Senator Miller moved the adoption of the following amendment:

Amend Section 1, line 34: Strike the following, after the word "funds": "providing a merit system in the department of highways."

The motion by Senator Miller lost.

Senator Maxwell moved the adoption of the following amendment:

Amend Section 1, line 2, after the word "and" add "operation of motor."

The motion by Senator Maxwell lost.

Senator Maxwell moved the adoption of the following amendment:

Amend Section 1, page 1, line 3 of the Substitute printed bill, by inserting after the word "terms" the words "used in this act."

The motion by Senator Maxwell lost.

Senator Kyle moved the adoption of the following amendment:

Amend Section 1, page 1, line 6 of the Substitute printed bill, after the word "purchase" strike the word "and" and insert in lieu thereof the word "mortgage."

The motion by Senator Kyle lost.

Senator Maxwell moved the adoption of the following amendment:

Amend Section 1, page 2, line 8, of the Substitute printed bill, by striking the word "of," and inserting in lieu thereof "the use by."

The motion by Senator Maxwell lost.

Senator Maxwell moved the adoption of the following amendment:

Amend Section 1, page 1, line 9 of the Substitute printed bill, by striking the word "providing," and insert in lieu thereof, the word "defining."

Senators Murphy (Kebel), Morrow, Miller, Reardon, Maxwell, Murphy (James A.), Reardon and Nugent demanded a roll call on the motion of Senator Maxwell.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Maxwell and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—18.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd—26.

Absent or not voting: Senators Gannon, Worum—2.

Senator Maxwell moved the adoption of the following amendment:

Amend Section 1, page 1, line 16, of the Substitute printed bill, by striking therefrom, the words "and regulation."

Senators Nugent, Kyle, Thomas, Morrow, Dailey, Maxwell, Murphy (James A.) and Roland demanded a roll call on the motion by Senator Maxwell.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Maxwell and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—17.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—27.

Absent or not voting: Senators Gannon, Worum—2.

Senator Maxwell moved the adoption of the following amendment:

Amend Section 1, page 2, line 1, of the Substitute printed bill, by inserting a comma (,) after the word "operators," and by striking the words "disposition thereof," and inserting in lieu thereof, the following: "distribution of such license fees."

The motion by Senator Maxwell lost.

Senator Kerstetter moved the adoption of the following amendment:

Amend Section 1, line 8 and 9, strike the word "pedestrians" and balance of section.

Senators Maxwell, Nugent, Dailey, Kyle, Kerstetter, Morrow, Roland and Thomas demanded a roll call on the motion by Senator Kerstetter.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Kerstetter and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Kerstetter, Kyle, Malstrom, Maxwell, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—15.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumbheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Nelson, Norman, Orndorff, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—29.

Absent or not voting: Senators Gannon, Worum—2.

Senator Morrow moved the adoption of the following amendment:

Amend Section 1: Strike the entire section.

The motion by Senator Morrow lost.

Senator Maxwell moved the adoption of the following amendment:

Amend Section 1, page 2, line 5, of the Substitute printed bill, by striking therefrom, the words "and other laws of the State."

The motion by Senator Maxwell lost.

Senator Peirce moved the adoption of the following amendment:

Amend Section No. 1, page 2, line 42 of the printed bill, strike the words "acquisition and."

The motion by Senator Peirce lost.

Senator Peirce moved the adoption of the following amendment:

Amend Section No. 1, page 3, line 1 of the printed bill, strike the words "and toll."

The motion by Senator Peirce lost.

Senator Maxwell moved the adoption of the following amendment:

Amend Section No. 1, page 2, line 13, of the Substitute printed bill, by inserting a comma (,) following the word "fuel."

The motion by Senator Maxwell lost.

Senator Maxwell moved the adoption of the following amendment:

Amend Section No. 1, page 3, line 7 of the Substitute printed bill, by striking therefrom the following: "providing for securing funds for prosecution and defense of actions."

Senator Steele moved that the amendment by Senator Maxwell be laid on the table without taking the bill with it.

Senators Maxwell, Murphy (James A.), Shorett, Dailey, Thomas, Miller, Ryan (J. H.), and Morrow demanded a roll call on the motion by Senator Steele.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Steele and the motion lost by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dailey, Drumheller, Duggan, Ferryman, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Norman, Orndorff, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd—24.

Those voting nay were: Senators Bengtson, Dawson, Farquharson, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—20.

Absent or not voting: Senators Gannon, Worum—2.

Senator Maxwell moved the adoption of the following amendment:

Amend Section No. 1, page 2, line 32, of the Substitute printed bill, by striking therefrom the words "creating a County State road fund and providing for funds and the disposition and expenditure thereof, and for the matching of State funds;"

The motion by Senator Maxwell lost.

Senator Thomas moved the adoption of the following amendment:

Amend Section No. 1, page 3, line 16: strike "destruction of certain" and insert, "Preservation of all."

Senators Kyle, Dailey, Nelson, Morrow, Roland, Miller, Thomas and Ryan (J. H.) demanded a roll call on the motion by Senator Thomas.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Thomas and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Knutzen, Kyle, Malstrom, Maxwell, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Thomas—15.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Kerstetter, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Nelson, Norman, Orndorff, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—29.

Absent or not voting: Senators Gannon, Worum—2.

Senator Malstrom moved the adoption of the following amendment:

Amend Section 1, line 16, after the word "certain" and before the word "records" insert the word "old."

Senators Thomas, Nugent, Morrow, Malstrom, Ryan (J. H.), Kerstetter, Maxwell and Dailey demanded a roll call on the motion by Senator Malstrom.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Malstrom and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—17.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd—28.

Absent or not voting: Senator Worum—1.

Senator Maxwell moved that the Senate now rescind its action by which the amendment by Senator Morrow lost.

Senators Dailey, Thomas, Morrow, Kyle, Maxwell, Ryan (J. H.), Murphy (Kebel), and Miller demanded a roll call on the motion by Senator Maxwell.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Maxwell and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Kerstetter, Kyle, Maxwell, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—14.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Nelson, Norman, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—31.

Absent or not voting: Senator Worum—1.

Senator Maxwell moved that Substitute Senate Bill No. 55 be re-referred to the Committee on Roads and Bridges.

Senators Thomas, Dailey, Ferryman, Morrow, Roland, Kyle, Nugent and Maxwell demanded a roll call on the motion by Senator Maxwell.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Maxwell and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—19.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd—26.

Absent or not voting: Senator Worum—1.

Senator Maxwell moved that Substitute Senate Bill No. 55 be made a special order of business for Thursday at 7:30 o'clock p. m.

The motion by Senator Maxwell lost.

Senator Nugent moved the adoption of the following amendment:

Amend Section No. 2, line 34, after the word "and" add: "The Director of Highway Department shall be a qualified, graduate and licensed engineer."

The motion by Senator Nugent lost.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 2, page 3, line 29, of the Substitute printed bill, by striking the word "results," and inserting in lieu thereof the word "good."

The motion by Senator Kyle lost.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 2, page 3, line 32 of the Substitute printed bill, by striking thereof, the words "and by means of."

Senators Kerstetter, Dailey, Thomas, Morrow, Maxwell, Nugent, Kyle and Ryan (J. H.) demanded a roll call on the motion by Senator Kyle.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Kyle and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—17.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—28.

Absent or not voting: Senator Worum—1.

Senator Dailey moved that the further call of the Senate be dispensed with.

Senators Dailey, Maxwell, Morrow, Kerstetter, Nugent, Kyle, Roland and Miller demanded a roll call on the motion by Senator Dailey.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Dailey and the motion lost by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Farquharson, Kerstetter, Kyle, Malstrom, Metcalf, Miller, Morrow, Murphy (James A.), Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—15.

Those voting nay were: Senators Barnes, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Murfin, Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd—30.

Absent or not voting: Senator Worum—1.

On motion of Senator Roland, the further call of the Senate was dispensed with.

The President signed Senate Joint Resolution No. 21.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Joint Memorial No. 32; also Engrossed House Bill No. 347; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

At 10:20 o'clock p. m., on motion of Senator Maxwell, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FIFTY-FIRST DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, March 5, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

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

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

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

Senators Norman, Miller and Kyle 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 except Senator Worum, who was excused.

On motion of Senator Miller, the Senate proceeded under the call of the Senate.

Senator Miller moved that the Committee on Judiciary be discharged from further consideration of Senate Bill No. 70.

Senator Gannon moved that the motion by Senator Miller be laid on the table.

Senators Maxwell, Miller, Farquharson, Dailey, Kyle, Ryan (J. H.), Morrow and Roland demanded a roll call on the motion by Senator Gannon.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Metcalf, Murfin, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd—27.

Those voting nay were: Senators Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—18.

Absent or not voting: Senator Worum—1.

The Secretary read:

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 85, entitled: "An Act relating to drugs and medicine; regulating the sale and dispensing thereof; requiring licenses and registrations for the privilege of selling,

dispensing and compounding the same, and fixing fees therefor; creating a state board of pharmacy, and prescribing their powers and duties with respect thereto; prescribing penalties; amending Sections 10, 11, 13, 16 and 17-c of Chapter CXXI (121), Laws of 1899; repealing all acts and parts of acts in conflict therewith; and making an appropriation," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, J. W. Thein.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries to whom was referred Senate Bill No. 343, entitled: "An Act providing for annexing county territory to a nearby county to which it is contiguous, amending Section 2 of Chapter CXLIV (144) of the Laws of 1891 (Section 3973, Remington's Revised Statutes) and amending Section 8 of Chapter CXLIV (144) of the Laws of 1891 (Section 3979, Remington's Revised Statutes) and repealing Section 1, Chapter CXLIV (144) of the Laws of 1891 (Section 3972, Remington's Revised Statutes) and repealing Section 10 of Chapter CXLIV (144) of the Laws of 1891 (Section 3981, 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: S. C. Roland, Fred Norman, Geo. F. McAulay.

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

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Insurance, to whom was referred Senate Bill No. 157, entitled: "An Act relating to insurance; amending Section 101, Chapter 49, Laws of 1911 (Section 7146, Remington's Compiled Statutes of Washington); providing for inspection and clearance by a bureau designated by the State Insurance Commissioner of daily reports of insurance written; providing for penalties for violation 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. C. NIFTY GARRETT, *Chairman.*

We concur in this report: Geo. A. Lovejoy, C. F. Stinson, Fred S. Duggan, Paul G. Thomas.

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

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House Bill No. 479, entitled: "An Act relating to the nomination and election of Supreme and Superior Court Judges and amending Section 5212 of Remington's Compiled 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.

H. I. KYLE, *Chairman.*

We concur in this report: J. P. Keller, J. A. Murphy, P. Frank Morrow, Joseph Drumheller, Earl Maxwell, Fred S. Duggan, H. L. Nelson, K. W. Reardon.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on State Penal and Reformatory Institutions, to whom was referred Engrossed House Bill No. 285, entitled: "An Act relating to the provision for the adequate punishment of persons convicted of certain felonies, their rehabilitation while in confinement and the necessary supervision after their release to prevent recidivism, and defining the duties of the Board of Prison, Terms and Paroles with relation thereto; repealing Sections 2278, 2281, 2282, 10247-9, 10291 and 10803 of Remington's Compiled Statutes and amending Section 2280 of Remington's Compiled Statutes and Chapters 140, 212, and 2195, 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.

K. W. REARDON, *Chairman.*

We concur in this report: J. P. Keller, Scott M. Ryan, A. M. Murfin, Fred S. Duggan, D. O. Nugent, Kebel Murphy.

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

The Committee on Judiciary recommended that House Bill No. 518 do pass with certain amendments.

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

The Committee on Public Welfare and Unemployment Relief recommended that Senate Bill No. 126 do pass with certain amendments.

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

A majority of the Committee on Insurance recommended that Senate Bill No. 154 do pass.

A minority of the Committee on Insurance recommended that Senate Bill No. 154 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read:

**Engrossed House Joint Memorial No. 32**, by Representatives Murray and Karr: "Relating to the apple industry of the State of Washington."

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:

**Senate Joint Resolution No. 23**, by Senator Miller: "Dividing the state into eastern and western Washington."

On motion of Senator Steele, 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:

**House Joint Resolution No. 25**, by Representative Strickland: "Creating a committee to make an investigation and audit of the activities of the supervisor of savings and loan associations, and the supervisor of banking in the liquidation of defunct institutions over which each of said supervisors has charge."

On motion of Senator Gannon, the rules were suspended, the resolution was read the second time by title, and referred to the Committee on Financial Institutions Other Than Banks.

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 4, 1935,

*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. 4: "An Act relating to the passage of ordinances by cities and authorizing cities to adopt ordinances relating to building construction, plumbing or electric wiring and other similar work by reference to printed codes on such subjects, together with amendments and additions thereto: *Provided*, Not less than three printed copies of such code or codes, or amendments or additions thereto, in book form, have been filed with the Clerk prior to the taking effect thereof."

Senate Bill No. 13: "An Act relating to sheriff's indemnity bonds and amending Section 4172, Remington's Revised Statutes."

Senate Bill No. 17: "An Act to adopt Remington's Revised Statutes of Washington as an official compilation of the laws of this state, and relating to additions and amendments thereto, and declaring that this act shall take effect immediately."

Senate Bill No. 36: "An Act relating to the sale of property under execution, decree or order of sale; and amending Section 1 of Chapter 69 of the Laws of 1927 (Section 582 of Remington's Revised Statutes.)"

Senate Bill No. 73: "An Act relating to justice courts, fixing the venue of civil actions therein, and amending Section 1 of Chapter 75 of the Laws of 1929."

Yours very truly,

RICHARD HAMILTON, *Secretary to the Governor.*

The Secretary read:

**COMMUNICATION.**

STATE OF OREGON, OREGON STATE SENATE,  
SALEM, OREGON, March 4, 1935.

*To the Hon. President of the Senate, Olympia, Washington.*

DEAR MR. PRESIDENT:

Pursuant to the provisions of Senate Joint Resolution No. 13, the President of the Senate has appointed Senators Allan E. Bynon and Charles K. Spaulding.

The Speaker of the House has appointed Representatives E. R. Fatland, William W. Knight and William C. Rankin.

A copy of said resolution is inclosed herewith. Very truly yours,

JNO. P. HUNT, *Chief Clerk of the Oregon State Senate.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

The Speaker has signed House Bill No. 108, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Bill No. 108.

Senator Miller entered a protest against the President signing House Bill No. 108.

Senator Murphy (James A.) entered a protest against the President signing House Bill No. 108.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Joint Resolution No. 21, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION OF BILLS.**

**Engrossed House Bill No. 347**, by Representative Richmond (C. L.), entitled: "An Act appropriating moneys for the case of State of Washington vs. State of Oregon, to be used subject to the conditions and in the manner set forth in Chapter 96 of the Session Laws of 1933, regular session, 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 on Appropriations.

**GENERAL FILE.**

**Substitute Senate Bill No. 55:**

Senator Maxwell moved that Substitute Senate Bill No. 55 be made a special order of business for Tuesday, at 7.30 o'clock p. m.

Senator McMillan moved that the motion by Senator Maxwell be laid on the table without taking the bill with it.

Senators McAulay, Miller, Ryan (J. H.), Dailey, Morrow, Maxwell, Roland and Nugent demanded a roll call on the motion by Senator McMillan.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Metcalf, Murfin, Nelson, Norman, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd—24.

Those voting nay were: Senators Bengtson, Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—21.

Absent or not voting: Senator Worum—1.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 2, page 4, line 13 of the Substitute printed bill, by striking therefrom the following: "there is enacted this Washington State Highway Code embracing matters pertaining to the administration, control and use of public highways and transportation thereon:".

The motion by Senator Kyle lost.

Senator Thomas moved the adoption of the following amendment:

Amend Section No. 2, page 4, lines 6 and 7, strike the word "without" and insert "Regardless of."

Senators Thomas, Kerstetter, Morrow, Miller, Maxwell, Ryan (J. H.), Dailey and Nugent demanded a roll call on the motion by Senator Thomas.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Thomas and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Kerstetter, Kyle, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—14.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—31.

Absent or not voting: Senator Worum—1.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 2, page 3, line 36, of the Substitute printed bill, by striking the word "recommended."

The motion by Senator Kyle lost.

Senator Murphy (Kebel) moved that the further call of the Senate be dispensed with.

Senators Kyle, McAulay, Miller, Dailey, Morrow, Maxwell, Thomas and Kerstetter demanded a roll call on the motion by Senator Murphy (Kebel). A roll call was ordered.

The Secretary called the roll on the motion by Senator Murphy (Kebel) and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Kerstetter, Kyle, Maxwell, Miller, Murphy (James A.), Nelson, Nugent, Peirce, Roland, Thomas—12.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (Kebel), Norman, Orndorff, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—33.

Absent or not voting: Senator Worum—1.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 2, page 4, line 7, of the Substitute printed bill, by striking the words "The progress of."

The motion lost.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 2, page 4, line 9, of the Substitute printed bill, by striking the words "citizens of this state," and inserting in lieu thereof the word "persons."

Senator Farquharson moved to amend the amendment by Senator Kyle with the following amendment:

Amendment to amendment to Section No. 2, line 9: Strike the word "citizens" and insert "persons."

Senator McAulay moved that the amendment by Senator Farquharson to the amendment be laid on the table.

Senators Dailey, Roland, Nugent, Thomas, Ryan (Scott M.), Miller, Morrow and Maxwell demanded a roll call on the motion by Senator McAulay. A roll call was ordered.

The Secretary called the roll on the motion by Senator McAulay and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—20.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd—25.

Absent or not voting: Senator Worum—1.

The motion by Senator Farquharson lost.

The motion by Senator Kyle lost.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 4, page 4, line 23, of the Substitute printed bill, by inserting after the word "boulevard," the words "avenue, highway, roadway."

The motion by Senator Kyle lost.

Senator Morrow moved the adoption of the following amendment:

Amend Section No. 2, line 35, page 3, strike the paragraph commencing "Whereas."

The motion by Senator Morrow lost.

Senator Maxwell moved the adoption of the following amendment:

Amend Section No. 2: Strike the entire section.

Senators Dailey, Maxwell, Kyle, Miller, Ryan (J. H.), Thomas, Morrow and Nugent demanded a roll call on the motion by Senator Maxwell.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Maxwell and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, Metcalf, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—18.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Miller, Murfin, Nelson, Norman, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd—27.

Absent or not voting: Senator Worum—1.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 4, page 4, line 24 of the Substitute printed bill, by striking therefrom the words "both inside and outside the limits of incorporated cities and towns."

Senators Maxwell, Dailey, Kyle, Miller, Ryan (J. H.), Thomas, Morrow and Nugent demanded a roll call on the motion by Senator Maxwell.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Kyle and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—18.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, McAulay,

McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd—27.

Absent or not voting: Senator Worum—1.

On motion of Senator Maxwell, the further call of the Senate was dispensed with.

Senator Maxwell moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

Senators Todd, Norman, Maxwell, Lovejoy, Murfin, McAulay, Steele and Dailey demanded a roll call on the motion by Senator Maxwell.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Maxwell and the motion lost by the following vote:

Those voting aye were: Senators Maxwell, Morrow, Nugent, Thomas—4.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—40.

Absent or not voting: Senators Drumheller, Worum—2.

At 12:02 o'clock p. m. on motion of Senator Ferryman, the Senate recessed until 2:00 o'clock p. m.

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### AFTERNOON SESSION.

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The Senate reconvened at 2:00 o'clock p. m., President Meyers in the chair.

The Secretary read:

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Substitute Senate Bill No. 212, entitled: "An Act relating to and providing for the number, district and apportionment of the members of the Senate and House of Representatives of the State of Washington, providing for their selection, amending Sections 2 and 3 of Chapter 2 of the Session Laws of 1931, and repealing Chapters 20 and 74 of the Session Laws of 1933," have compared same with the substitute bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

On motion of Senator Murfin the report of the committee was received.

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 315, entitled: "An Act relating to the state government; defining the powers and duties of the state auditor; transferring certain duties of the director of efficiency relating

to inspection and examination of public offices to the state auditor; providing for the audit of the office of state auditor; amending Section 5 of the Act of March 27, 1890, relating to the duties of the state auditor (Laws of 1889-90, page 636; Rem. Rev. Stat., Section 11001); repealing Sections 7 and 8 of said act, and providing that the act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman*.

We concur in this report: Fred S. Duggan, A. M. Murfin, Chas. H. Todd, E. L. Brunton, Judson W. Shorett, Geo. F. McAulay, H. I. Kyle, Ed. Peirce, Ralph Metcalf.

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

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 316, entitled: "An Act relating to the state government and defining the powers and duties of certain officers thereof; providing for the filing of quarterly estimates with the division of budget by state offices, departments and institutions; prescribing limitations upon purchases by such offices, departments and institutions; amending Chapter 9, Laws of 1925, by adding a new section to be known as Section 8-a, and amending Chapter 2, Laws of 1931, by adding a new section to be known as Section 37-a and providing that the act shall take effect April 1, 1935," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman*.

We concur in this report: Fred S. Duggan, A. M. Murfin, Chas. H. Todd, E. L. Brunton, Judson W. Shorett, Geo. F. McAulay, H. I. Kyle, Ed. Peirce, Ralph Metcalf.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 262, entitled: "An Act relating to the deposit of public funds in banks by the several county treasurers of this state and repealing Section 4 of Chapter 45 of the Laws of the Extraordinary Session 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.

J. P. KELLER, *Chairman*.

We concur in this report: S. C. Roland, Geo. F. McAulay, Fred Norman.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred House Bill No. 228, entitled: "An Act relating to the deposit of public funds in banks by city treasurers, providing for the rate of interest thereon, creating city finance committees, prescribing the duties of such committees, amending Sections 5569 and 5572 of Remington's Revised Statutes, amending Chapter 103 of the Laws of 1905 by adding a new section thereto to be known as Section 4, amending Chapter 22 of the Laws of 1907 by adding a new section thereto to be known as Section 5, 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.

S. C. ROLAND, *Chairman*.

We concur in this report: James A. Murphy, W. R. Orndorff, G. B. Kerstetter, Judson W. Shorett, Paul G. Thomas.

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

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

The House has passed Substitute House Bill No. 164; also  
Engrossed House Bill No. 378; also  
House Bill No. 485; also  
House Bill No. 528; also  
House Joint Memorial No. 21; also  
Engrossed House Concurrent Resolution No. 10; also  
House Bill No. 196; also  
The House has adopted House Concurrent Resolution No. 8; also  
The House has passed House Bill No. 375,  
and the same are herewith transmitted. S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**SENATE RESOLUTION.**

Senate Resolution: By Senator Maxwell:

*Be It Resolved*, By the Senate of the State of Washington that the Director of Highways is hereby requested and directed to bring in a map of the primary highway system of the State of Washington showing the following information:

1. All highways provided for in original Senate Bill No. 55.
2. Additional highways provided for in Substitute Senate Bill No. 55.

This record to be placed before the Senate by convening time at 10 a. m., Wednesday, March 6th, or before.

On motion of Senator Maxwell, the Senate resolution was adopted.

**GENERAL FILE.**

**Substitute Senate Bill No. 55:**

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 4, page 5, line 4, of the substitute printed bill, by striking therefrom the words, "together with their baggage and freight."

The motion by Senator Kyle lost.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 4, page 5, line 18 of the substitute printed bill, by inserting after the word "owned" a comma (,) and insert after the word "owned" the words "leased, hired or operated."

The motion by Senator Kyle lost.

Senator Kyle moved the adoption of the following amendment:

Amend Section No. 4, page 5, line 31, of the substitute printed bill, by striking the words "for a period of ten or more successive days."

The motion by Senator Kyle lost.

Senator Maxwell moved that the Senate adjourn.

Senators Norman, Murfin, Todd, McMillan, Keller, McAulay, Smith and Dailey demanded a roll call on the motion by Senator Maxwell.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Maxwell and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Nelson, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—17.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Murphy (Kebel), Norman, Orndorff, Reardon Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—28.

Absent or not voting: Senator Worum—1.

Senator Tewksbury moved that the Senate recess until 7:30 o'clock p. m.

Senators Murfin, McMillan, Barnes, Norman, Keller, Thomas, Duggan and Steele demanded a roll call on the motion by Senator Tewksbury.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Tewksbury and the motion lost by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—21.

Those voting nay were: Senators Barnes, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Norman, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd—24.

Absent or not voting: Senator Worum—1.

Senators Drumheller, Norman and Keller demanded a call of the Senate.

Senators Ryan (J. H.), Maxwell, Murphy (James A.), Norman, McAulay, Murfin, Thomas and Dailey demanded a roll call on the call of the Senate.

A roll call was ordered.

The Secretary called the roll on the demand for a call of the Senate, and the call of the Senate prevailed by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Peirce, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd—26.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Keller, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—19.

Absent or not voting: Senator Worum—1.

A call of the Senate was ordered.

The Sergeant-at-Arms locked the doors of the Senate Chamber.

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

On motion of Senator Norman, the Senate proceeded under the call of the Senate.

Senator Gannon moved that Substitute Senate Bill No. 55 be made a special order of business for Thursday at 10:30 o'clock a. m.

Senators Miller, Morrow, Norman, McAulay, Dailey, Ferryman, Roland and Farquharson demanded a roll call on the motion by Senator Gannon.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Gannon and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—21.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Ronald, Smith, Steele, Stinson, Thein, Todd—24.

Absent or not voting: Senator Worum—1.

Senator Tewksbury moved that the further call of the Senate be dispensed with.

Senators Dailey, Kyle, Roland, Ryan (J. H.), Tewksbury, Miller, Maxwell and Morrow demanded a roll call on the motion by Senator Tewksbury.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Tewksbury and the motion was lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Kerstetter, Kyle, Maxwell, Miller, Morrow, Murphy (James A.), Peirce, Roland, Ryan (Scott M.), Thomas—12.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Murfin, Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—33.

Absent or not voting: Senator Worum—1.

Senator Tewksbury moved that Substitute Senate Bill No. 55 be made a special order of business for Friday at 11:00 o'clock a. m.

Senators Miller, Gannon, Roland, Kerstetter, Murphy (James A.), Kyle, Morrow and Dailey demanded a roll call on the motion by Senator Tewksbury.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Tewksbury and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—21.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Nelson, Norman, Orndorff, Ronald, Smith, Steele, Stinson, Thein, Todd—24.

Absent or not voting: Senator Worum—1.

On motion of Senator Nelson, Substitute Senate Bill No. 55 was made a special order of business for 7:30 o'clock p. m. this evening.

On motion of Senator Maxwell, the further call of the Senate was dispensed with.

At 3:30 p. m., on motion of Senator Maxwell, the Senate recessed until 7:30 o'clock p. m.

**EVENING SESSION.**

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The Senate reconvened at 7:30 o'clock p. m., President Meyers in the chair.

**SPECIAL ORDER.**

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Substitute Senate Bill No. 55.

Senator Ronald moved that Substitute Senate Bill No. 55 be made a special order of business for Thursday at 10:30 o'clock a. m.

The motion by Senator Ronald carried.

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Public Welfare and Unemployment Relief, to whom was referred Senate Bill No. 42, entitled: "An Act providing a retirement pension for all persons over fifty years of age as provided in this act, and creating a board for the purpose of administering this act and providing means for the payment of said retirement fund," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JAMES A. MURPHY, *Chairman.*

We concur in this report: J. W. Thein, J. H. Ryan, Scott M. Ryan, James Dailey, Paul G. Thomas, Mary U. Farquharson.

On motion of Senator Murphy (James A.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 281, entitled: "An Act relating to education, providing for the consolidation of school districts and amending Sections 1 and 2 of Chapter 52 of the Laws of the Extraordinary Session of 1933, and Section 3, Chapter 75 of the Laws of 1933, 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.

MARY U. FARQUHARSON, *Chairman.*

We concur in this report: Kathryn E. Malstrom, W. R. Orndorff, L. E. Tewksbury, Ralph Metcalf, J. D. Bengtson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 317, entitled: "An Act relating to the education, training, care, custody and control of feeble-minded children and youth; for the establishment of an institution for such purpose; making an 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.

MARY U. FARQUHARSON, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Ralph Metcalf, L. E. Tewksbury.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Engrossed House Joint Memorial No. 32: "Relating to the apply 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: Scott M. Ryan, Earl Maxwell.

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

The Committee on Judiciary recommended that Senate Bill No. 217 do pass with certain amendments.

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

A majority of the Committee on Commerce and Manufacturing recommended that Engrossed House Bill No. 276 do pass.

A minority of the Committee on Commerce and Manufacturing recommended that Engrossed House Bill No. 276 do not pass.

The reports of the committee, together with the bill, were placed on general file.

#### INTRODUCTION OF BILLS.

**House Joint Memorial No. 21**, by Representative Parker: "Relating to the establishment and maintenance of a regional laboratory at the State College of Washington to conduct investigational work on new products and by-products from fruits and vegetables."

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

**Engrossed House Concurrent Resolution No. 10**, by Representative Ledgerwood: "Uniformity of grain warehouse regulations in Washington, Oregon and Idaho."

The resolution was read the first time, and on motion of Senator Knutzen the rules were suspended, the resolution was read the second time by title, and referred to the Committee on Agriculture.

**House Concurrent Resolution No. 8**, by Representative Myers: "Relating to Father's Day and designating the third Sunday of June in each year as Father's Day."

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

**Substitute House Bill No. 164**, by Committee on Judiciary, entitled: "An Act relating to inquiry concerning religion or religious affiliations of persons seeking public employment and providing penalty for the violation thereof."

The bill was read the first time, and on motion of Senator Ryan (J. H.), the rules were suspended, the bill was read the second time by title and referred to the Committee on Labor and Labor Statistics.

**Engrossed House Bill No. 378**, by Representative Martin (by departmental request), entitled: "An Act relating to game, regulating the issuance

of certain licenses and prescribing the powers and duties of the director of game in connection therewith, and amending Section 38 of Chapter 178 of the Laws of the Extraordinary Session of 1925 as amended by Section 6, of Chapter 258 of the Laws of 1927, and as amended by Section 38, Chapter 3, Laws of 1933 (Initiative Measure number 62), and repealing Section 41 of Chapter 178 of the Laws of the Extraordinary Session of 1925 as amended by Section 41, Chapter 3, Laws of 1933 (Initiative Measure number 62), and declaring an emergency."

The bill was read the first time, and on motion of Senator Steele 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. 485**, by Representative Austin (by request), entitled: "An Act relating to domestic insurance companies and amending Section 7068 of Remington's Revised Statutes."

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

**House Bill No. 528**, by Representatives Bohlke and Karr, entitled: "An Act relating to horticulture and amending Section 29 of Chapter 166 of the Laws of 1915."

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

**House Bill No. 196**, by Representative Mackie, entitled: "An Act authorizing certain cities having idle and unused water systems, to enter into contracts for a period of years with the owners and operators of industrial plants."

The bill was read the first time, and on motion of Senator Peirce 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. 375**, by Representatives Adams and Ott, entitled: "An Act providing for the special investigation of the Erland Point Murder Case by the Attorney General of the State of Washington, providing an appropriation therefor, and declaring an emergency."

The bill was read the first time, and on motion of Senator Mehner 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. 266**, by Senators Ronald and Smith, entitled: "An Act relating to the department of conservation and development of the State of Washington, providing for disposition of moneys received by the State of Washington from certain fees, providing that the same be paid into the state reclamation revolving fund and amending Section 3 of Chapter 105, Laws of 1929, same being Section 11575-3 of Remington's Revised Statutes," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 266, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—41.

Those voting nay were: Senator Dailey—1.

Absent or not voting: Senators Drumheller, Nugent, Peirce, Worum—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 Gannon gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 266 passed the Senate.

**Senate Bill No. 19**, by Senator Ryan (J. H.), entitled: "An Act relating to the creation of a fund in Class A counties and counties of the first class for the payment of the salaries and wages of county officers and employees, and providing for the payment and transfer of money to and from said fund, and amending Section 1, of Chapter 14, of the Session Laws of the Extraordinary Session of 1933, and declaring an emergency," was read the third time.

On motion of Senator Steele the following amendment was adopted:

Amend Section 1, line 3, by underlining the words "*and counties of the first class.*"

On motion of Senator Ryan (J. H.) the following amendment was adopted:

Amend by adding a new section to be known as Section 2 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."

The Secretary called the roll on the final passage of Senate Bill No. 19, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—42.

Those voting nay were: Senators Dawson, Reardon—2.

Absent or not voting: Senators Nugent, Worum—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 Miller, the rules were suspended and Senate Bill No. 19 was ordered engrossed and immediately transmitted to the House.

**Substitute Senate Bill No. 257**, by Committee on Judiciary, entitled: "An Act to encourage state and national industrial recovery by cooperating with the national government in fostering fair competition, to establish standards of fair competition in trade and industry, providing penalties for violations of this act, declaring an emergency and repealing Chapter 50, Laws of Extraordinary Session 1933," was read the third time.

Senator Ferryman moved the adoption of the following amendment:

Amend Section 2 by adding after the word "thereof" and before the word "are" in the 24th line of printed bill, page 1, the following: "Which have been or shall be approved by 65% of the volume of business and 51% of the firms, within this state, of the industry or part thereof affected or to be affected by any such code of fair competition agreements, orders, rules and regulations; such approval to be by written petition or through delegates elected at a convention publicly called for that purpose in every county of this state wherein any such industry transacts business:".

Senator Keller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Keller carried.

Senator Peirce moved the adoption of the following amendment:

Amend Section No. 2: Strike all of Section 2.

Senator Thein moved that the rules be suspended and that the amendment by Senator Peirce be laid on the table without taking the bill with it.

The motion by Senator Thein carried.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 257, and it passed the Senate by the following vote:

Those voting aye were: Senators Drumheller, Duggan, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Mehner, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Steele, Thein—26.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Farquharson, Ferryman, McMillan, Metcalf, Morrow, Norman, Peirce, Ryan (Scott M.), Smith, Stinson, Thomas—16.

Absent or not voting: Senators Nugent, Tewksbury, Todd, Worum—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 Miller, the rules were suspended and substitute Senate Bill No. 257 was ordered immediately transmitted to the House.

**Senate Bill No. 38**, by Senator Murphy (James A.), entitled: "An Act to regulate the payment of wages or compensation for labor or service in private employments, providing penalties for violations of its provisions, authorizing the director of labor and industries to enforce this act, defining the duties of prosecuting attorneys relative to its enforcement, and providing for the collection of certain penalties by civil action at the direction of such director," was read the third time.

On motion of Senator Ryan (J. H.), the following amendment was adopted:

Amend Section 3, line 5, page 2 of the printed bill, by striking the word "and" following the word "person" and substitute in lieu thereof the word "any."

The Secretary called the roll on the final passage of Senate Bill No. 38, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thomas, Todd—29.

Those voting nay were: Senators Bengtson, Brunton, Dawson, Duggan, Garrett, Knutzen, Metcalf, Murfin, Orndorff, Reardon, Thein—11.

Absent or not voting: Senators Barnes, Drumheller, Keller, Nugent, Smith, Worum—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 Ryan (J. H.), the rules were suspended and Senate Bill No. 38 was ordered engrossed and immediately transmitted to the House.

**Senate Bill No. 142**, by Senator Stinson, entitled: "An Act relating to the tax levy for the reclamation revolving fund and amending Section 12, Chapter 158 of the Laws of 1919, as amended by Section 1, Chapter 218 of the Laws of 1927; Section 1, Chapter 94, of the Laws of 1929; and Section 1, Chapter 80, of the Laws of 1931, as amended by Chapter 24 of the Laws of 1933," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 142, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas—42.

Absent or not voting: Senators Nugent, Smith, Todd, Worum—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. 312**, by Committee on Commerce and Manufacturing, entitled: "An Act creating a committee to be known as 'The Committee on Water and Air Pollution;' defining its powers and duties; designating its membership; providing penalties for violations of provisions hereof and making an appropriation."

On motion of Senator Drumheller, Senate Bill No. 312 was re-referred to the Committee on Commerce and Manufacturing.

**Substitute Senate Joint Memorial No. 18**, by Committee on Memorials: "Relating to a tunnel through the Cascade Mountains," was read the third time.

The Secretary called the roll on the final passage of Substitute Senate Joint Memorial No. 18, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd—38.

Those voting nay were: Senators Brunton, Dawson, Knutzen, Stinson—4.

Absent or not voting: Senators Maxwell, Nugent, Reardon, Worum—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 Miller, the rules were suspended, and Substitute Senate Joint Memorial No. 18 was ordered immediately transmitted to the House.

**Substitute Senate Bill No. 39**, by Committee on Municipal Corporations Other Than First Class, entitled: "An Act relating to and providing for the issuance by any incorporated city or town in the State of Washington of special fund bonds for the purpose of funding or refunding outstanding warrants or bonds issued for the purpose of purchasing, acquiring or constructing certain public utilities or for making additions and betterments thereto or extensions thereof; and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 39, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—40.

Absent or not voting: Senators Barnes, Miller, Nelson, Nugent, Reardon, Worum—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 Kyle, the rules were suspended, and Substitute Senate Bill No. 39 was ordered immediately transmitted to the House.

**Senate Bill No. 270**, by Senators Shorett, Tewksbury, Dailey, Murphy (James A.), and Morrow, entitled: "An Act relating to Water Districts, providing for the establishment and maintenance of Local Improvement Guaranty Funds, to be derived from a percentage of the gross revenues of the water supply system of the District, and declaring an emergency," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 270, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Roland, Ronald, Ryan (J. H.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—39.

Those voting nay were: Senators Peirce, Reardon—2.

Absent or not voting: Senators Nelson, Nugent, Ryan (Scott M.), Smith, Worum—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 Shorett, the rules were suspended and Senate Bill No. 270 was ordered immediately transmitted to the House.

**Senate Bill No. 287**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act authorizing the expenditure of funds from the Liquor Revolving Fund by the Washington State Liquor Control Board in the construction of an office building on 'Capitol Place' in Olympia, Washington," was read the third time.

Senator Lovejoy moved the adoption of the following amendment:

Amend Senate Bill No. 287 by striking all that portion of the bill following the enactment clause and inserting in lieu thereof the following:

**SECTION 1.** With the consent and approval of the state capitol committee, the Washington State Liquor Control Board shall have power in the name of the state to purchase real estate in Olympia, Washington, for the purpose of erecting an office building for the use of the Washington State Liquor Control Board, the Department of Public Lands, and other state departments.

**SEC. 2.** The Washington State Liquor Control Board is authorized to expend from its liquor revolving fund the sum of two hundred thousand dollars (\$200,000.00) or so much thereof as may be necessary in the purchase of real estate and construction of an office building.

**SEC. 3.** Such money shall be expended only in the event additional funds are made available through Federal or other agencies to be used in conjunction therewith in the erection of an office building.

**SEC. 4.** Such building shall be erected under the supervision and direction of the state capitol committee, and in the event sufficient funds are made available in addition to the expenditure authorized under this act to provide for the erection of one of the buildings included in the capitol building group as heretofore provided by statute and the plan of the state capitol committee, the expenditure authorized under this act may be made in the erection of such building on "capitol place" or on the capitol grounds in Olympia, Washington.

**SEC. 5.** This act is necessary for the immediate preservation of public peace, health and safety and for the support of the state government and its existing public institutions and shall take effect immediately.

Senator Gannon moved to amend the amendment by Senator Lovejoy with the following amendment:

Amendment to amendment: Line 12 of the mimeographed amendment, strike "or other" after word "federal."

The motion by Senator Gannon lost.

On motion of Senator Lovejoy, Senate Bill No. 287 was made a special order of business for Thursday at 3:00 o'clock p. m.

**Senate Bill No. 37**, by Senator Murphy (James A.), entitled: "An Act relating to wages of employees and workmen, creating a lien therefor, providing for priority in cases of insolvency, receivership, bankruptcy, and probate, and providing other remedies and amending Sections 1149, 1150, 1204, 1205 and 1206 of Remington's Compiled Statutes of Washington," was read the third time.

On motion of Senator Duggan, the following amendment was adopted:

Amend Section No. 1, in line 5 of the printed bill, strike out the words "operation or conduct of any business or industry, or in the."

On motion of Senator Gannon, the following amendment was adopted:

Amend Section No. 1, line 7: after word "taxes" insert the following: "and mortgages or assignments of record."

On motion of Senator Gannon, the following amendment was adopted:

Amend Section No. 1, page 1, line 16, after the word "lien" replace the period (.) with a comma (,) and add the following: "unless said mortgage, deed of trust, or conveyance shall have been recorded prior to the date of the performance of such work or labor for which said lien is filed."

On motion of Senator Murfin, the following amendment was adopted:

Amend Section No. 1, printed bill, page 1, line 7, after the word "taxes" insert "drainage improvement district assessments and irrigation district assessments."

On motion of Senator Ryan (J. H.), Senate Bill No. 37 was made a special order of business for Monday at 11:00 o'clock a. m.

**Senate Bill No. 118:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 21, 1935.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Senate Bill No. 118, entitled: "An Act relating to agricultural and vegetable seeds and amending Sections 9, 10 and 16 of Chapter 183 of the Laws of 1919 as amended, and Section 8 of Chapter 153 of the Laws of 1921, and repealing Chapter 166 of the Laws of 1929, and making an appropriation for administrative expenses," 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 page 3, section 3, line 16 of the original bill, same being Section 3, page 2, line 34 of the printed bill, as follows: Strike the word "seed" and insert in lieu thereof the word "general."

Amend Section 4, page 4, line 19 of the original bill, same being Section 4, page 3, line 16 of the printed bill, as follows: After the word "into" strike the remainder of the section and insert in lieu thereof the words "*the general fund of the State Treasury.*"

Amend Section 5, page 4, line 24 of the original bill, same being Section 5, page 3, line 20 of the printed bill, by striking the entire section and inserting in lieu thereof the following: "*SEC. 5. There is hereby appropriated out of the general fund of the state treasury the sum of eighteen thousand dollars (\$18,000) to be available to the Director of Agriculture for administrative expenses under this act but in no case to exceed the receipts thereunder. Provided, however, The state auditor may anticipate the receipts and issue warrants to cover the same in any amount not to exceed two thousand dollars (\$2,000).*"

D. E. McMILLAN, Chairman.

We concur in this report: W. J. Knutzen, Kebel Murphy, Ed. Peirce, J. D. Bengtson.

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

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 118.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended by the committee.

On motion of Senator Peirce, the report of the committee 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.

On motion of Senator Murphy (Kebel), the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 118, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Keller, Kerstetter, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James

A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd—36.

Those voting nay were: Senators Brunton, Ferryman, Garrett, Stinson—4.

Absent or not voting: Senators Barnes, Knutzen, Malstrom, Nugent, Reardon, Worum—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 Murphy (Kebel), the rules were suspended and Senate Bill No. 118 was ordered engrossed and immediately transmitted to the House.

**Senate Bill No. 330**, by Senators Thein, Lovejoy, Mehner, Miller, Nugent, Drumheller, Todd and Shorett, entitled: "An Act relating to intoxicating liquors and empowering the Washington State Liquor Control Board to appoint agents authorized to dispense spirituous liquor by the glass or drink; amending Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington by adding thereto a new section to be known as Section 76, and declaring an emergency," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 330, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Drumheller, Duggan, Ferryman, Gannon, Keller, Kerstetter, Kyle, Lovejoy, Maxwell, McMillan, Metcalf, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Peirce, Roland, Ryan (J. H.), Tewksbury, Thein, Todd—25.

Those voting nay were: Senators Brunton, Dawson, Farquharson, Garrett, Knutzen, McAulay, Mehner, Murfin, Nelson, Reardon, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Thomas—16.

Absent or not voting: Senators Barnes, Malstrom, Nugent, Stinson, Worum—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 Tewksbury gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 330 passed the Senate.

Senator McAulay entered a protest against the method by which the final vote on Senate Bill No. 330 was reached.

At 11:47 o'clock p. m., on motion of Senator Miller, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FIFTY-SECOND DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Wednesday, March 6, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

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

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

On motion of Senator Nelson, 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., March 6, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 118, entitled: "An Act relating to agricultural and vegetable seeds and amending Sections 9, 10 and 16 of Chapter 183 of the Laws of 1919 as amended, and Section 8 of Chapter 153 of the Laws of 1921, and repealing Chapter 166 of the Laws of 1929, and making an appropriation for administrative expenses," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 38, entitled: "An Act to regulate the payment of wages or compensation for labor or service in private employments, providing penalties for violations of its provisions, authorizing the director of labor and industries to enforce this act, defining the duties of prosecuting attorneys relative to its enforcement, and providing for the collection of certain penalties by civil action at the direction of such director," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 19, entitled: "An Act relating to the creation of a fund in Class A counties

and counties of the first class for the payment of county officers and employees, and providing for the payment and transfer of money to and from said fund, and amending Section 1 of Chapter 14 of the Session Laws of the Extraordinary Session of 1933, and declaring an emergency," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 327, entitled: "An Act authorizing county commissioners of first class counties to employ a purchasing agent, establishing his duties, and providing the method of procedure in his performance 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. P. KELLER, *Chairman.*

We concur in this report: S. C. Roland, Geo. F. McAulay, Fred Norman.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 357, entitled: "An Act relating to certain county offices in certain counties, defining their powers and duties, abolishing elective office of County Engineer and vesting the powers and duties of that office in the Board of County Commissioners," 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: S. C. Roland, Geo. F. McAulay, Fred Norman.

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

A majority of the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Engrossed House Bill No. 507 do pass.

A minority of the Committee on Reclamation, Irrigation, Dikes, Drains and Ditches recommended that Engrossed House Bill No. 507 do not pass.

The reports of the committee, together with the bill, were placed on general file.

A majority of the Committee on Insurance recommended that Senate Bill No. 165 do pass.

A minority of the Committee on Insurance recommended that Senate Bill No. 165 do not pass.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read the report of the Special Committee on Investigation of the Washington Emergency Relief Association.

On motion of Senator Murphy (James A.), the report of the committee was referred to the Committee on Public Welfare and Unemployment Relief.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 197; also  
Engrossed House Bill No. 459; also  
Engrossed House Bill No. 511; also  
Engrossed House Bill No. 512,  
and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION OF BILLS.**

**Engrossed House Bill No. 197**, by Representative Hales, entitled: "An Act relating to the practice of barbering and the licensing of barbers in this state; prohibiting students from charging for barbering services; relating to barbers schools and barbers colleges and providing for licensing thereof, prescribing regulations therefor and requirements thereof; amending Section 2 of Chapter 75 of the Session Laws of 1923 as amended by Section 1 of Chapter 209 of the Session Laws of 1929; amending Section 14 of Chapter 75 of the Session Laws of 1923 as amended by Section 6 of Chapter 209 of the Session Laws of 1929 (being Sections 8277-2 and 8277-14, Remington's Revised Statutes); and repealing Section 10 of Chapter 75 of the Session Laws of 1923, as amended by Section 5 of Chapter 209 of the Session Laws of 1929 (Section 8277-10, Remington's Revised Statutes)."

The bill was read the first time, and on motion of Senator Ryan (J. H.) the rules were suspended, the bill was read the second time by title, and referred to the Committee on Labor and Labor Statistics.

**Engrossed House Bill No. 459**, by Representative McDonald (D. A.), entitled: "An Act providing for the relief of Kate Stevens Bates."

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 on Appropriations.

**Engrossed House Bill No. 511**, by Representatives Ledgerwood, Jones and Klemgard, entitled: "An Act relating to inspection, grading and weighing of commodities, requiring all license fees and inspection fees collected under Chapter 189 of the Laws of 1919, as subsequently amended by amendatory acts thereof, to be deposited in the grain and hay inspection fund, requiring public warehouses to obtain certificates of public necessity and convenience, and amending Sections 13 and 22 of Chapter 189 of the Laws of 1919, as subsequently amended by amendatory acts thereof, and amending Chapter 189 of the Laws of 1919 by adding thereto a new section to be known as Section 22-a."

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 Agriculture.

**Engrossed House Bill No. 512**, by Representatives Ledgerwood, Jones and Klemgard, entitled: "An Act relating to hay, grain and peas, public warehousing of such commodities, and track buyers; defining track buyers and requiring bonds and licenses; providing that the director of agriculture may take possession of public warehouses and bring actions against sureties in certain cases; defining the duties of receivers of public warehouses; pro-

viding for inspection and weighing; amending Sections 17, 22b and 24 of Chapter 189 of the Laws of 1919 as subsequently amended; amending said Chapter 189 by adding a new section to be known as Section 18A and repealing Section 32 of Chapter 189 of the Laws of 1919."

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 Agriculture.

#### GENERAL FILE.

#### Substitute House Joint Resolution No. 11:

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Public Welfare and Unemployment Relief, to whom was referred Substitute House Joint Resolution No. 11: "Creating a Joint Committee to make an investigation and audit of the Washington Emergency Relief Administration and giving said committee certain powers," 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 17, page 1, of the printed resolution, which is line 19, page 1, of the original resolution, by striking the word "five" and inserting in lieu thereof the word "four."

Amend line 28, page 1, of the printed resolution, which are lines 2 and 3, page 2 of the original resolution, by striking the words "for such purpose" and inserting in lieu thereof the words ", and, where necessary, to institute such actions."

Amend by striking lines 6 and 7, page 2, of the printed resolution, which are a portion of line 10 and lines 11 and 12, page 2, of the original resolution, beginning with the words "and in particular" in line 10, and inserting in lieu thereof the word "; and."

Amend by striking lines 19, 20, 21 and 22, page 2 of the printed resolution, which are lines 27, 28, 29, 30 and 31 of page 2 of the original resolution.

Amend lines 8 and 9, page 2 of the printed resolution, which are lines 13 and 14, page 2 of the original resolution, by striking all words after "Resolved" to and including the word "thereof" in line 14, page 2, and inserting after the word "Provided" in line 11, page 2 of the printed resolution, which is line 17 of the original resolution, the words "That said investigation shall not be continued for a period of more than six months: *Provided further,*," ....., *Chairman.*

We concur in this report: J. W. Thein, J. H. Ryan, Paul G. Thomas, Scott M. Ryan, Ed. Peirce, Mary Farquharson, J. P. Keller.

SENATE CHAMBER,  
OLYMPIA, WASH., February 19, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Public Welfare and Unemployment Relief, to whom was referred Substitute House Joint Resolution No. 11, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. JAMES A. MURPHY, *Chairman.*

We concur in this report: W. R. Orndorff, James Dailey.

On motion of Senator Murphy (James A.), the reports of the committee were received and the bill was read the third time.

Senator Steele moved that Substitute House Joint Resolution No. 11 be made a special order of business for 1:00 o'clock p. m. today.

Senator Farquharson moved that the motion by Senator Steele be laid on the table.

The motion by Senator Farquharson carried.

On motion of Senator Kyle, the committee amendments were adopted.

On motion of Senator Kyle, the following amendment was adopted:

Amend line 2, page 2 of the printed resolution by striking the words "not later than ten days."

On motion of Senator Kyle, the following amendment was adopted:

Amend line 12, page 2 of the printed resolution by striking the words "not later than ten days."

On motion of Senator Duggan, the following amendment was adopted:

Amend the last paragraph of the printed resolution by striking the period (.) after the word "investigation." and inserting the words: "within the amount which may be appropriated by this legislature for that purpose."

The Secretary called the roll on the final passage of Substitute House Joint Resolution No. 11, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thomas, Todd—41.

Absent or not voting: Senators Maxwell, McAulay, Nugent, Thein, Worum—5.

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

On motion of Senator Kyle, the rules were suspended, and Substitute House Joint Resolution No. 11 was ordered immediately transmitted to the House.

**Engrossed House Bill No. 5**, by Representative McDonald (D. A.), entitled: "An Act relating to the practice of chiropody, defining 'chiropodist' and providing for the suspension and renewal of certificates to practice chiropody, extending the right to practice to practitioners of other states, amending Sections 1, 4, 6 and 10 of Chapter 38 of the Laws of 1917, and Section 10 of Chapter 120 of the Laws of 1921," was read the third time.

Senators Kyle, Gannon and Ryan (J. H.) demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 5, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Stinson, Tewksbury, Thomas, Todd—36.

Those voting nay were: Senator Ryan (Scott M.)—1.

Absent or not voting: Senators Knutzen, Maxwell, McAulay, Miller, Nugent, Orndorff, Steele, Thein, Worum—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.

At 12:01 o'clock p. m., on motion of Senator Peirce, the Senate recessed until 1:30 o'clock p. m.

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### AFTERNOON SESSION.

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The Senate reconvened at 1:30 o'clock p. m., President Meyers in the chair.

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred House Bill No. 196, entitled: "An Act authorizing certain cities having idle and unused water systems, to enter into contracts for a period of years with the owners and operators of industrial plants," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. C. ROLAND, *Chairman.*

We concur in this report: J. A. Murphy, Judson W. Shorett, Paul G. Thomas, W. R. Orndorff, Fred S. Duggan, G. B. Kerstetter.

On motion of Senator Roland the report of the committee was received and the bill was placed on general file.

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

The Speaker has appointed as House members of the Committee provided for under Senate Joint Resolution No. 21, Representatives Wiswall, Skinner and Clark.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

The House has passed:

Engrossed Substitute Senate Bill No. 155; also

House Bill No. 266; also

House Bill No. 270; also

Engrossed House Bill No. 290; also

Engrossed House Bill No. 312; also

Engrossed House Bill No. 413; also

House Bill No. 436; also

Engrossed House Bill No. 491; also

House Bill No. 520; also

Engrossed House Bill No. 590; also

House Joint Memorial No. 22; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## GENERAL FILE.

**House Bill No. 485:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Insurance, to whom was referred House Bill No. 485, entitled: "An Act relating to domestic insurance companies and amending Section 7068 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.

C. NIFTY GARRETT, *Chairman.*

We concur in this report: Geo. A. Lovejoy, W. R. Orndorff, Judson W. Shorett, C. F. Stinson, E. L. Brunton.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Insurance, to whom was referred House Bill No. 485, 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: Paul G. Thomas.

On motion of Senator Garrett, 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. 485, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Thein, Todd—36.

Those voting nay were: Senators Roland, Ryan (Scott M.), Thomas—3.

Absent or not voting: Senators Bengtson, Ferryman, Maxwell, McAulay, Nugent, Tewksbury, Worum—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. 285**, by Representatives Copeland, Gessell, Edlund, McCarty and Cowen (by departmental request), entitled: "An Act relating to the provision for the adequate punishment of persons convicted of certain felonies, their rehabilitation while in confinement and the necessary supervision after their release to prevent recidivism, and defining the duties of the Board of Prison, Terms and Paroles with relation thereto; repealing Sections 2278, 2281, 2282, 10247-9, 10291 and 10803 of Remington's Compiled Statutes and amending Section 2280 of Remington's Compiled Statutes and Chapters 140, 212, and 2195, Session Laws of 1927," was read the third time.

On motion of Senator Steele, the following amendment was adopted:

Amend Section No. 2, being line 15, page 1 of the printed bill, by striking after the word "in" and before the word "case" the word "no" and inserting in lieu thereof the word "any."

On motion of Senator Kyle, the following amendment was adopted:

Amend Section No. 3, by striking the word "therefor" in line 30 of page 3 of the printed bill and substituting in lieu thereof the word "therefore."

On motion of Senator Steele, the following amendment was adopted:

Amend Section No. 6, being line 20, page 5, of the printed bill, by striking the figures "2281" between the words "section" and "of," and inserting in lieu thereof the figures "2280."

On motion of Senator Steele, the following amendment was adopted:

Amend Section No. 8, being line 31, page 6, of the printed bill, by striking all of the last paragraph of said section which reads as follows: "The funds necessary for carrying out the provisions of this act will be included in the budget for the penitentiary and the reformatory and these funds will be paid out of the appropriations for those institutions."

On motion of Senator Steele, the following amendment was adopted:

Amend by adding at the end thereof a new section to be known as Section 9, and to read as follows: "SEC. 9. That Sections 2278, 2281, 2282, 2195, 10247, 10248, 10249, 10238, 10239, 10803, 10280-6, 10280-10, 10280-11, 10280-12, 10280-15, 10280-16, 10237-1 and 10237-2 of Remington's Revised Statutes of Washington be and the same are hereby repealed."

On motion of Senator Steele, the following amendment was adopted:

Amend the title by striking after the word "thereto;" the remainder of said title reading as follows: "repealing Sections 2278, 2281, 2282, 10247-9, 10291 and 10803 of Remington's Compiled Statutes and amend Section 2280 of Remington's Compiled Statutes and Chapters 140, 212, and 2195, Session Laws of 1927.", and by inserting in lieu thereof the following words and figures: "and repealing Sections 2278, 2281, 2282, 2195, 10247, 10248, 10249, 10238, 10239, 10803, 10280-6, 10280-10, 10280-11, 10280-12, 10280-15, 10280-16, 10237-1 and 10237-2 of Remington's Revised Statutes of Washington."

On motion of Senator Shorett, the following amendment was adopted:

Amend Section 2, page 2, line 5 of the printed bill; strike the word "will" and insert the word "shall."

On motion of Senator Peirce, the following amendment was adopted:

Amend Section 8, page 5, line 37, of the printed bill; after the word "governor" insert the words "by and with the advice and consent of the Senate."

The Secretary called the roll on the final passage of Engrossed House Bill No. 285, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Tewksbury, Thein, Todd—36.

Those voting nay were: Senators Farquharson, Morrow, Norman, Peirce, Roland, Ryan (Scott M.), Stinson, Thomas—8.

Absent or not voting: Senators Nugent, Worum—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 Ryan (Scott M.) moved that the Senate refer back to the first order of business for the purpose of offering a motion for reconsideration.

Senator Morrow moved that the motion by Senator Ryan (Scott M.) be laid on the table.

The motion by Senator Morrow carried.

**Engrossed House Bill No. 39:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 11, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 39, entitled: "An Act relating to the collection of taxes; providing for the remission of interest upon real and personal property taxes; providing for the payment of delinquent real property taxes in installments; providing for remission of a portion of the principal of said delinquent taxes; and declaring that this act is to 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, line 12 of the original bill, being line 4 of the printed bill, by striking the words "thirty-first day of May" and substituting therefor the words "thirtieth of November."

Amend Section 1, line 20 of the original bill, being line 8 of the printed bill, by striking the words "November 30," and substituting therefor the words "May 31."

Amend Section 2 by striking the second paragraph, which begins on line 28 of the original bill, being line 13 of the printed bill. PAUL MEHNER, *Chairman*.

We concur in this report: Fred S. Duggan, P. Frank Morrow, A. M. Murfin, E. N. Steele, H. I. Kyle, James Dailey, Judson W. Shorett, L. E. Tewksbury, W. R. Orndorff, Mary U. Farquharson.

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

On motion of Senator Mehner, the committee amendments were adopted. Senator Orndorff moved the adoption of the following amendment:

Amend Section 1. In line 17 of the Engrossed House Bill, after the word "of," being the first word in the line, strike the word "five" and the figure "5" after the words "per cent" and insert in lieu thereof the word "twenty" and the figure "20" respectively.

Senators Ryan (J. H.), Orndorff, Steele, Kerstetter, Shorett, Morrow, Murphy (James A.) and Gannon demanded a roll call on the motion by Senator Orndorff.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Orndorff and the motion lost by the following vote:

Those voting aye were: Senators Barnes, Gannon, Kerstetter, Kyle, Malstrom, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Orndorff, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson—16.

Those voting nay were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Knutzen, McAulay, McMillan, Murfin, Murphy (Kebel), Norman, Peirce, Reardon, Roland, Ronald, Smith, Steele, Tewksbury, Thein, Thomas, Todd—25.

Absent or not voting: Senators Dailey, Lovejoy, Maxwell, Nugent, Worum

Senator Peirce moved the adoption of the following amendment:

Amend Section No. 1, line 2, strike words "1932" and insert "1934."

Senator Ryan (J. H.) moved that the amendment by Senator Peirce be laid on the table without taking the bill with it.

The motion by Senator Ryan (J. H.) carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 39, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—40.

Those voting nay were: Senator Knutzen—1.

Absent or not voting: Senators Lovejoy, Maxwell, Roland, Shorett, Worum—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 Mehner, the rules were suspended and Engrossed House Bill No. 39 was ordered immediately transmitted to the House.

On motion of Senator Kyle, 500 additional copies of the report of the special committee on the investigation of the Washington Emergency Relief Association were ordered mimeographed.

**House Bill No. 231**, by Representative Wilson, entitled: "An Act relating to the sale of certain articles and commodities, providing protection for trade mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles and commodities of standard quality under a distinguished trade mark brand or name, prescribing penalties, and declaring that this act shall take effect immediately," was read the third time.

Senator Peirce moved that House Bill No. 231 be indefinitely postponed.

Senators Miller, Steele, Nelson, Malstrom, Drumheller, Tewksbury, Nugent and Kerstetter demanded a roll call on the motion by Senator Peirce.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Peirce and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Duggan, Farquharson, Gannon, Kyle, Murphy (Kebel), Orndorff, Peirce, Roland, Thomas—10.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Reardon, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—33.

Absent or not voting: Senators Maxwell, Ronald, Worum—3.

Senator Duggan moved the adoption of the following amendment:

Amend Section 4, page 2, lines 9 and 10 of the printed bill, by striking the words "shall be a misdemeanor, and in addition to making the offender subject to punishment in a criminal action,".

Senator Miller moved that the amendment by Senator Duggan be laid on the table without taking the bill with it.

Senators Murfin, Lovejoy, Murphy (James A.) demanded the previous question.

The previous question was ordered.

The motion by Senator Miller lost.

The motion by Senator Duggan carried.

On motion of Senator McAulay, the following amendment was adopted:

Amend Section 3, page 1, line 16 of the printed bill, by striking the words "the Constitution or."

Senator Duggan moved the adoption of the following amendment:

Amend Section No. 3, by striking out the whole thereof.

The motion by Senator Duggan lost.

Senator Duggan moved the adoption of the following amendment:

Amend Section No. 4, by striking the words: "whether the person so advertising, offering for sale or selling is not a party to such contract." in lines 8 and 9.

The motion by Senator Duggan lost.

Senator Thomas moved the adoption of the following amendment:

Amend Section No. 5, page 2, line 16, after the period add the following sentence: "*Provided further*, That this act does not apply to cooperatives."

Senator Morrow moved that the amendment by Senator Thomas be laid on the table without taking the bill with it.

The motion by Senator Morrow carried.

Senator Peirce moved the adoption of the following amendment:

Amend Section No. 7: Strike all of Section 7.

Senator Malstrom moved that the amendment by Senator Peirce be laid on the table without taking the bill with it.

The motion by Senator Malstrom carried.

On motion of Senator Lovejoy, the following amendment was adopted:

Amend Section 6, page 2, line 18 of the printed bill, correct the spelling of the word "adjudication," same being line 29 of the engrossed bill.

Senators Miller, Murphy (James A.) and Maxwell demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 321, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dawson, Drumheller, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Todd—32.

Those voting nay were: Senators Brunton, Dailey, Duggan, Farquharson, Gannon, Kyle, Murphy (Kebel), Peirce, Reardon, Roland, Thein, Thomas—12.

Absent or not voting: Senators Ryan (J. H.), Worum—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 Reardon moved that when the Senate adjourns today, it adjourn in the memory of Oliver Wendell Holmes, Chief Justice of the United States Supreme Court.

The motion by Senator Reardon carried.

At 5:25 o'clock p. m., on motion of Senator Peirce, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## FIFTY-THIRD DAY

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### MORNING SESSION.

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SENATE CHAMBER,

OLYMPIA, WASH., Thursday, March 7, 1935.

The Senate was called to order at 10:00 o'clock a. m. by President Victor A. Meyers, pursuant to adjournment.

Reverend Samuel Everton of the Central Baptist Church of Olympia offered prayer.

The Secretary called the roll, all members being present.

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

The Secretary read:

**House Joint Memorial No. 22**, by Representatives Ford and Adams: "Relating to the Mount Olympus National Monument."

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 ENROLLED BILLS.

SENATE CHAMBER,

OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Substitute Senate Bill No. 155, entitled: "An Act declaring the existence of a state and national agricultural emergency; declaring the policy of the legislature; providing for the regulation and control of the production, storage, transportation, industrial advertising, merchandising, price and distribution of agricultural commodities; approving and adopting the provisions of the National Agricultural Adjustment act and any marketing agreement or license approved or prescribed by the Secretary of Agriculture of the United States; defining marketing agreements; regulating the purchase of agricultural commodities by the state or its subdivisions; establishing standards of fair competition; empowering the Director of Agriculture, with the approval of the Governor, to adopt or prescribe marketing agreements, to make rules and regulations to control the production, storage, transportation, industrial advertising, merchandising, sale and distribution of agricultural commodities, and to issue, suspend or revoke licenses licensing persons handling or processing agricultural products; designating the persons entitled to licenses; granting jurisdiction to courts for the enforcement of this act and market-

ing agreements approved or prescribed hereunder; making it unlawful for any person to engage in handling, retailing, processing or wholesaling agricultural products without a license; fixing license fees; making an appropriation for the administration of this act; defining agricultural commodities; and declaring that this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, your committee on Constitutional Revision, to whom was referred Senate Joint Resolution No. 20; "Providing for the amendment of Section 23 of Article 2 of the Constitution of the State of Washington by providing compensation for the members of the legislature," 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: Paul G. Thomas, H. I. Kyle, Mary U. Farquharson, Ed. Peirce, K. W. Reardon, C. Nifty Garrett, S. C. Roland.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Engrossed House Concurrent Resolution No. 10, entitled: "Uniformity of grain warehouse regulations in Washington, Oregon and Idaho," 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: W. J. Kuntzen, E. L. Brunton, Kebele Murphy, J. D. Bengtson, J. Drumheller, Ed. Peirce.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Engrossed House Bill No. 511, entitled: "An Act relating to inspection, grading and weighing of commodities, requiring all license fees and inspection fees collected under Chapter 189 of the Laws of 1919, as subsequently amended by amendatory acts thereof, to be deposited in the grain and hay inspection fund, requiring public warehouses to obtain certificates of public necessity and convenience and amending Sections 13 and 22 of Chapter 189 of the Laws of 1919, as subsequently amended by amendatory acts thereof, and amending Chapter 189 of the Laws of 1919 by adding thereto a new section to be known as Section 22-a," 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: E. L. Brunton, J. D. Bengtson, J. Drumheller, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT :

We, your Committee on Agriculture, to whom was referred Engrossed House Bill No. 512, entitled: "An Act relating to hay, grain and peas, public warehousing of such commodities, and track buyers, defining track buyers and requiring bonds and licenses; providing that the director of agriculture may take possession of public warehouses and bring actions against sureties in certain cases; defining the duties of receivers of public warehouses; providing for inspection and weighing; amending Sections 17, 22b and 24 of Chapter 189 of the Laws of 1919 as subsequently amended; amending said Chapter 189 by adding a new section to be known as Section 18A and repealing Section 32 of Chapter 189 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.

D. E. McMILLAN, *Chairman*.

We concur in this report: E. L. Brunton, J. D. Bengtson, J. Drumheller, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT :

We, your committee on Game and Game Fish, to whom was referred Engrossed House Bill No. 378, entitled: "An Act relating to game, regulating the issuance of certain licenses and prescribing the powers and duties of the director of game in connection therewith, and amending Section 38 of Chapter 178 of the Laws of the Extraordinary Session of 1925 as amended by Section 6, of Chapter 258 of the Laws of 1927 and as amended by Section 38, Chapter 3, Laws of 1933 (Initiative Measure No. 62) and repealing Section 41 of Chapter 178 of the Laws of the Extraordinary Session of 1925 as amended by Section 41, of Chapter 3, Laws of 1933 (Initiative Measure No. 62) 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. F. MCAULAY, *Chairman*.

We concur in this report: D. E. McMillan, L. E. Tewksbury, D. O. Nugent, Horace E. Smith, J. W. Thein, Fred S. Duggan.

On report of Senator McAulay, the report of the committee was received and the bill was placed on general file.

The Committee on Labor and Labor Statistics 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.

A majority of the Committee on Judiciary recommended that Engrossed House Bill No. 238 do pass.

A minority of the Committee on Judiciary recommended that Engrossed House Bill No. 238 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senator Garrett moved that Senate Bill No. 364, now on general file, be re-referred to the Committee on Flood Control.

The motion by Senator Garrett carried.

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT :

The House has passed Engrossed House Bill No. 236; also Engrossed House Bill No. 155; also

Engrossed House Bill No. 223; also  
 Engrossed House Bill No. 587; also  
 Re-engrossed House Bill No. 498; and the same are herewith transmitted.  
 S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 137; also  
 Engrossed Senate Bill No. 191; also  
 Senate Bill No. 192; also  
 Senate Bill No. 194; also  
 Senate Bill No. 195; and the same are herewith transmitted.  
 S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

**House Bill No. 266**, by Representative Emory, entitled: "An Act relating to claims for damages against cities of the first class; prescribing the contents thereof; authorizing such cities by ordinance to fix and require a fee for filing such claims; and amending Section 1 of Chapter 83 of the Laws of 1909."

The bill was read the first time, and on motion of Senator Steele 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. 270**, by Representative Cohen, 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 Steele 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. 290**, by Representative Yantis (by departmental request), entitled: "An Act relating to the assessment and taxation of the property of railroad companies, motor vehicle transportation companies, airplane companies, electric light and power companies, telegraph companies, telephone companies, gas companies, pipe-line companies, water companies, heating companies, toll bridge companies, steamboat companies and logging railroad companies; providing penalties for the violation thereof; repealing Sections 35 to 50, inclusive, of Chapter 130, Laws of the Extraordinary Session of 1925, and all other acts and parts of acts in conflict therewith; and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Mehner 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. 312**, by Representatives Bowden, Wilson, Strickland, Hurley, Todd and Lynch, entitled: "An Act relating to the licensing, examining, qualifying and education of persons engaged in the repair, installation, servicing and testing of radio and television receiving equipment, antenna systems and electrical sound amplification equipment; providing methods of administration thereof and penalties for the violation thereof and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Ryan (J. H.) the rules were suspended, the bill was read the second time by title, and referred to the Committee on Labor and Labor Statistics.

**Engrossed House Bill No. 413**, by Representative Adams, entitled: "An Act relating to, and prescribing the manner of installation of electrical wires and equipment, regulating sales thereof, providing for the licensing and bonding of those engaged therein, prescribing the powers and duties of certain officials in connection therewith, providing penalties, and making an appropriation, and repealing Sections 8307, 8308, 8309, 8310, 8311 and 8312 of Remington's Revised Statutes and Laws of 1919."

The bill was read the first time, and on motion of Senator Ryan (J. H.) 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. 436**, by Representative Cohen, entitled: "An Act providing for the regulation and supervision of the issuance and sale of metalliferous mining securities, as the same are herein defined, to prevent fraud in the sale thereof, and providing penalties."

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 Mines and Mining.

**Engrossed House Bill No. 491**, by Representative Devenish, entitled: "An Act relating to the insane and commitments of patients to hospitals for the insane; providing for payment of expenses and liability of the state and relatives; amending Section 6930, Remington's Compiled Statutes of Washington, repealing Section 6940, Remington's Compiled Statutes, and declaring an emergency."

The bill was read the first time, and on motion of Senator Dailey 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. 520**, by Representatives Christianson and Leber, entitled: "An Act relating to rentals from county or district owned lands in diking and drainage improvement districts."

The bill was read the first time, and on motion of Senator Knutzen 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. 590**, by Committee on Printing, entitled: "An Act relating to public printing and the compensation to be paid therefor, and amending Sections 10329, 10330 and 10333, Remington's Revised Statutes and repealing Section 10332, 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 Printing.

**Engrossed House Bill No. 223**, by Representatives Lynch and Lindgren, entitled: "An Act relating to the practice of optometry, providing for the regulation of the same and providing penalties for the violation thereof and amending Section 7 Chapter 144 of the Laws of 1919."

The bill was read the first time, and on motion of Senator Nugent 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.

**Engrossed House Bill No. 587**, by Committee on Rural Credits and Agricultural Development (by executive request), entitled: "An Act authorizing boards of county commissioners to exchange certain county lands for lands of equal value; to sell certain lands classified as agricultural lands upon terms and conditions: and exempting said lands from taxation for a period of years."

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 Counties and County Boundaries.

**Engrossed House Bill No. 155**, by Committee on Rules and Order (by departmental request), entitled: "An Act relating to food and shell fish, providing for licenses for taking, canning, receiving, buying, wholesaling and selling food and shell fish and amending Section 51 of Chapter 31 of the Laws of 1915 as amended by Section 51 of Chapter 63 of the Laws of 1921, defining license fees and declaring that this act shall take effect immediately."

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

**Re-engrossed House Bill No. 498**, by Representative Yantis (by departmental request), entitled: "An Act relating to taxation, prescribing the powers and duties of the tax commission of the State of Washington, amending Section 2, Chapter 115, Laws of 1905, as amended by Section 1, Chapter 220, Laws of 1907, and declaring that the act shall take effect immediately."

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

Senator Ronald moved that Substitute Senate Bill No. 55, which was a special order of business for 10:00 o'clock a. m. today, be made a special order of business for 7:30 o'clock p. m.

Senator Miller moved to amend the motion by Senator Ronald to make Substitute Senate Bill No. 55 a special order of business for tomorrow morning at 10:30 o'clock a. m.

The motion by Senator Miller carried.

The motion by Senator Ronald, as amended, carried.

#### GENERAL FILE.

**Senate Bill No. 193**, by Senator Gannon, entitled: "An Act transferring certain moneys 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 that this act shall take effect April 1, 1935," was read the third time.

Senator Gannon moved the adoption of the following amendment:

Amend Section No. 1, line 4, strike the words "General Fund" and insert in lieu thereof the following: "Capitol Building Construction Fund, except the amount of \$25,000.00 which is hereby appropriated from said Shoreland Improvement Fund to the Secretary of State for the advertising of the scenic, climatic, agricultural and industrial advantages of the State of Washington."

Senator Farquharson moved to amend the amendment by Senator Gannon with the following amendment:

Amendment to amendment: Strike out that portion of amendment beginning with "except."

The motion of Senator Farquharson carried.

Senator Murfin moved that the amendment of Senator Gannon as amended be laid on the table.

The motion by Senator Murfin carried.

Senator Miller moved that Senate Bill No. 193 be laid on the table.

The motion by Senator Miller lost.

Senator Kerstetter moved that Senate Bill No. 193 be re-referred to the Committee on Appropriations.

The motion by Senator Kerstetter carried.

**Senate Bill No. 323**, by Senator Ryan (J. H.), entitled: "An Act relating to the time of payment of real and personal property taxes for the year 1934 due and payable in the year 1935 and providing for the extension of the time during which rebates shall be allowed thereon and modifying the provisions of Section 83 of Chapter 130 of the Laws of the Extraordinary Session of 1925 relating to such rebates and providing that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 323, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—44.

Absent or not voting: Senators Keller, McMillan—2.

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

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

The President signed Substitute Senate Bill No. 155.

**Senate Bill No. 274:**

Senator McAulay moved that consideration of Senate Bill No. 274 be deferred until after consideration of Engrossed Substitute House Bill No. 46.

The motion by Senator McAulay carried.

**Senate Bill No. 268:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate Bill No. 268, entitled: "An Act relating to the organization and administration of the state government, providing for the regulation and supervision of petroleum and natural gas, defining the powers and duties of certain officers, prohibiting certain acts, 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 with the following amendment:

Amend by striking everything after the enacting clause and insert in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the petroleum and natural gas act, and the duty of administering and enforcing the same shall devolve upon the director of conservation and development. The director shall appoint a competent engineer experienced in the production of petroleum and natural gas, who shall have charge of the supervision and enforcement of this act.

SEC. 2. Petroleum or natural gas shall not be produced in the State of Washington in such manner and under such conditions as to constitute waste.

SEC. 3. For the purpose of conserving and utilizing the natural resources of the state and to prevent waste thereof, through negligence or wasteful methods of operation and to carry out and accomplish the purposes of this act, the director of conservation and development shall, from time to time, prescribe, adopt, promulgate and enforce rules and regulations governing the drilling, casing, developing, sinking, operating and abandoning of petroleum and natural gas wells, and the waste of petroleum or natural gas therefrom, upon all lands in the State of Washington, except as to public lands subject to the exclusive jurisdiction of the United States. Such rules and regulations shall be the governing method of operation of operators upon all lands within the State of Washington, and it shall be the duty of every person, firm or corporation, drilling or operating petroleum or natural gas wells, to comply with the rules and regulations and other reports required thereby, and to case, control and plug all wells as may be prescribed by such rules and regulations.

SEC. 4. All rules and regulations of the director of conservation and development, and all amendments to, or modifications or revocations of existing rules and regulations, shall be recorded in an appropriate book or books, and shall be adequately indexed, and shall be kept in the office of the director of conservation and development, and shall be and constitute a public record and shall be promulgated by publication in a newspaper of general circulation published at the State Capitol and shall take effect and be in force at times specified therein.

SEC. 5. It shall be the duty of the director of conservation and development to so supervise the drilling, operation, maintenance, and abandonment of petroleum or natural gas wells for the recovery of petroleum or natural gas, as to prevent, as far as possible, damage to underground petroleum or natural gas deposits from infiltrating water or other causes, and loss of petroleum and natural gas and damage to underground and surface waters suitable for irrigation or domestic purposes from infiltration therein, or the addition thereto, of substances detrimental thereto, by reason of such drilling, operation, maintenance and abandonment of such wells.

SEC. 6. All operators, contractors or drillers, pipe line companies, and/or petroleum and natural gas distributors, or individuals, drilling for, or producing petroleum or natural gas, or piping petroleum or natural gas for any purpose, shall take every possible precaution, in accordance with the most approved methods, to stop and prevent all waste of petroleum and natural gas, or both, in drilling and producing operations, storage or in piping or distributing, and shall not wastefully utilize petroleum or natural gas, or allow the same to leak or escape from natural reservoirs, wells, tanks, containers, or pipes, and it shall be unlawful for petroleum or natural gas to be produced in this state in any manner or under any circumstances as to constitute waste.

SEC. 7. Every person performing labor upon or furnishing material, used in the construction, drilling, alteration, repair or operation of any well designed or intended to produce petroleum or natural gas, or who shall have performed any labor or furnished any material in the operation of any petroleum or natural gas well shall have a lien upon the drilling rig, machinery, appurtenances, appliances, buildings and other structures thereon, used for such drilling and/or operation, but such lien shall not extend to the fee title to the land, or to any borrowed equipment, tools or to any property which is not the property of the lessee, operator or driller: *Provided*, That such lien shall not attach against any leasehold interest where drilling operation is carried on by a sub-lessee or contractor: *Provided, further*, That there shall be posted and maintained a notice in a conspicuous place at the drilling site that the operation is being carried on by a sublessee or contractor and that the leasehold interest is not subject to any lien for labor or material.

The enforcement of the liens herein created shall be in the manner provided by law for the filing of notices and foreclosure of liens for labor and material.

SEC. 8. Any person, firm, or corporation, feeling aggrieved at any rule, regulation, order or official act of the director of conservation and development arising under this act, shall have the right to a review thereof before the board of review which shall, in the first instance, consist of the commissioner of public lands and the supervisor of geology. Petition for such review shall be in writing signed in triplicate by the party seeking such review, his agent or attorney, and shall refer to the rule, regulation, order or official act sought to be reviewed and shall be served, in triplicate, upon the director of conservation and development either in person or by registered mail. Upon receipt thereof the director of conservation and development shall file one thereof and shall transmit one thereof to each the commissioner of public lands and the supervisor of geology who thereafter, with reasonable diligence and dispatch, shall fix a time and place for hearing upon said petition and give notice thereof to the director of conservation and development and to the petitioner for such reasonable length of time as may be necessary to permit them to attend and offer evidence. Each member of said board of review is authorized to administer oaths. All proceedings, including the petition for review, shall be informal and upon any hearing technical rules of procedure and of taking evidence as required in courts of law shall be disregarded, and said board of review shall arrive at a just conclusion consistent with the purpose of this act. The board of review shall have power to sustain, annul or modify, in whole or in part, any rule, regulation, order or official act under review, and shall render and enter such order in respect thereof as the merits may require. The board of review may in its discretion award costs to the prevailing party as provided by law in civil actions. In event the two members of said board of review shall fail to agree upon any question so submitted for review it shall be their duty to appoint a third person as a member of said board of review, who shall not be a public officer or employee of the state, and the board of review thus constituted shall proceed to hear and determine the matter at issue and may take such further evidence or may call any witnesses as in their discretion may seem advisable, and the decision of a majority of the board of review so constituted shall prevail. All decisions of the board of review shall be in writing and shall be filed in the office of the director of conservation and development and a copy thereof shall forthwith be transmitted to the petitioner or his attorney of record. The service of the petition, in triplicate, as herein provided for, shall operate as a stay of the rule, regulation, order or official act sought to be reviewed until the matter under review shall have been determined and notice of the decision served upon the petitioner: *Provided, however,* That such review shall not be in exclusive remedy and shall not deprive any person of the right, in the first instance, to seek relief in any court of competent jurisdiction.

SEC. 9. Every order, decision or official act of the director of conservation and development under this act shall be subject to review and any person, aggrieved by such order, decision or official act, may appeal therefrom to the superior court of the county wherein the property or any part thereof affected thereby is located, by notice specifying the order, decision or official act or part thereof appealed from, and filing the same with the clerk of such superior court and by mailing a copy of such notice of appeal to the director of conservation and development within thirty (30) days after the rendition and filing of such decision or official act. Such appeal shall operate as a stay of any order, decision or official act appealed from. Upon the payment of the fees therefor by the appellant, the director of conservation and development shall, within ten (10) days after such notice of appeal, make and certify a transcript of all records and papers affecting or relating to the order, decision or official act appealed from and shall file the same in the office of the clerk of said superior court; said superior court shall have power to extend time for making, certifying and transmitting such record or application therefor, without notice. Upon hearing of such appeal, the burden of proof shall be upon the appellant and evidence may be introduced and the case shall be tried *de novo*. Any party to such appeal feeling himself aggrieved by the judgment of the superior court may appeal therefrom to the supreme court of the state in the manner and within the time for appealing from judgments in actions of law.

SEC. 10. Any person, firm or corporation violating any of the provisions of this act or rules and regulations prescribed pursuant hereto, or the lawful orders, rules and regulations of the director of conservation and development, or his assistants or deputies, shall, upon conviction, be deemed to be guilty of a gross misdemeanor.

SEC. 11. If any provision or section of this act shall be adjudicated to be unconstitutional, such adjudication shall not affect the validity of the act as a whole or any part thereof not adjudicated unconstitutional. JOSEPH DRUMHELLER, *Chairman*.

We concur in this report: James Dailey, S. C. Roland, Horace E. Smith, W. G. Ronald, C. Nifty Garrett, W. R. Orndorff.

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

On motion of Senator Drumheller, the committee amendment was adopted.

Senator Morrow moved the adoption of the following amendment:

Amend Section No. 3, strike entire section.

Senator Tewksbury moved that the amendment by Senator Morrow be laid on the table without taking the bill with it.

The motion by Senator Tewksbury carried.

Senator Ryan (J. H.) moved the adoption of the following amendment:

Amend Section 4, page 21, strike the words "at the State" in line 8 and "Capitol" in line 9, substituting therefor "in the County in which petroleum or natural gas has been discovered."

The motion of Senator Ryan (J. H.) carried.

On motion of Senator Drumheller, the following amendment was adopted:

Amend Section 6, line 1, page 2; strike "possible" and insert "reasonable" in lieu thereof.

On motion of Senator McAulay, the following amendment was adopted:

Add to Section 4 the following: "Such rules and regulations shall also be recorded and indexed in any county in which petroleum or natural gas is discovered and shall be promulgated therein by publication for three successive weekly publications in some newspaper published in said county and of general circulation therein."

Senator Ryan (J. H.) moved that the Senate reconsider the vote by which the amendment by Senator Ryan (J. H.) was adopted.

The motion carried.

Senator Murfin moved that the amendment by Senator Ryan (J. H.) be laid on the table without taking the bill with it.

The motion by Senator Murfin carried.

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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—44.

Those voting nay were: Senators Farquharson, Morrow, Norman, Peirce, Shorett—5.

Absent or not voting: Senator Stinson—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 McAulay gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 268 passed the Senate.

On motion of Senator Reardon, the Senate referred back to the second order of business for the purpose of receiving a committee report.

**REPORT OF STANDING COMMITTEE.**

The Committee on Appropriations 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.

At 12:33 o'clock p. m., on motion of Senator Kyle, the Senate recessed until 2:00 o'clock p. m.

**AFTERNOON SESSION.**

The Senate reconvened at 2:00 o'clock p. m., President Meyers in the Chair.

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, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 582; also Engrossed Substitute House Bill No. 584; and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION OF BILLS.**

**Engrossed House Bill No. 582**, by Representatives Holt and Wanamaker (by executive request), entitled: "An Act relating to and providing for Old Age Assistance; defining the powers and duties of certain officers in connection therewith; prescribing penalties; appropriating funds for such assistance; repealing Chapter 29, Laws of 1933, abolishing county Old Age Pension Funds, amending Section 9, Chapter 55, Laws of 1933 and declaring its effective date."

The bill was read the first time, and on motion of Senator Murphy (James A.), the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Welfare and Unemployment Relief.

**Engrossed Substitute House Bill No. 584**, by Majority of the Committee on Appropriations (by executive request), entitled: "An Act providing for emergency unemployment relief; defining the powers and duties of the Department of Public Welfare in relation thereto and providing for the administration of such relief by the Director of Public Welfare subject to the supervision and control of the Governor; providing funds for such relief; making appropriations, and declaring its effective date."

The bill was read the first time, and on motion of Senator Murphy (James A.), the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Welfare and Unemployment Relief.

## GENERAL FILE.

**Engrossed Substitute House Bill No. 46:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Engrossed Substitute House Bill No. 46, entitled: "An Act defining and regulating the practice of dentistry, providing for the examination and licensing of dentists, providing an annual renewal of licenses and the payment of annual license renewal fees, providing for the revocation and suspension of licenses, creating the State Board of Dental Examiners and fixing its duties, defining reputable dental colleges, prescribing penalties and repealing subsections 1 to 25 inclusive, of Section 10030 of Remington's Compiled Statutes, being Sections 1 to 25 inclusive, of Chapter 16 of the Session Laws of 1923, and declaring that this act is necessary for the immediate preservation of the public peace, health and safety, and 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 2, line 8, page 2, strike the word "has" and insert the word "as."

Amend Section 8 by striking subsection (h) being lines 1 to 9 inclusive of page 8 of the engrossed bill.

Amend Section 9, line 27, page 8 of the engrossed bill by striking the word "director" and inserting the words "committee appointed as provided by law."

Amend Section 9, line 29, page 8, strike the word "his" and insert the words "the directors."

Amend Section 9, line 5, page 9, strike the word "county" and insert the word "court."

Amend Section 17, line 24, page 11, before the words "any manager" insert the following:

SEC. 18. It shall be unlawful for any person or persons to practice dentistry under any name, except his or her own proper name, which shall be the name used in his or her license as issued by the director: *Provided, however,* This shall not apply to any person now practicing dentistry in this state under the name of an association or trade name.

Amend Section 19, line 11, page 12, after the word "corporation" insert the words "shall practice dentistry or."

D. O. NUGENT, *Chairman.*

We concur in this report: H. L. Nelson, Edmund J. Miller, Horace E. Smith, G. B. Kerstetter, Paul G. Thomas, Earl Maxwell, Kathryn E. Malstrom.

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

Senator Thomas moved that Engrossed Substitute House Bill No. 46 be re-referred to the Committee on Medicine, Dentistry, Pure Food and Drugs.

Senator Morrow moved that the motion by Senator Thomas be laid on the table.

The motion by Senator Morrow carried.

On motion of Senator Nugent, the committee amendments were adopted. Senators Drumheller, Steele and Mehner demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 46, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow,

Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—38.

Absent or not voting: Senators Dailey, Farquharson, Lovejoy, Malstrom, Nelson, Peirce, Ryan (Scott M.), Tewksbury—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. 274**, by Senator Murfin, entitled: "An Act relating to taxing districts, as defined in Chapter IX of the Act of Congress entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, and to assessments or taxes levied or to be levied upon lands therein, enabling such districts to obtain the relief provided in said Chapter IX, validating petitions and proceedings under or in contemplation of proceedings under said Chapter IX, and declaring an emergency," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 274, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—38.

Absent or not voting: Senators Drumheller, Kyle, Lovejoy, Murphy (Kebel), Nelson, Peirce, Ronald, 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.

On motion of Senator Ferryman, Senators Lovejoy and Nelson were excused.

#### **SPECIAL ORDER.**

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Senate Bill No. 287.

Senator Steele moved that Senate Bill No. 287 be made a special order of business for Friday at 10:30 o'clock a. m.

The motion by Senator Steele carried.

#### **GENERAL FILE.**

##### **Engrossed House Bill No. 89:**

The Secretary read:

#### **REPORTS OF STANDING COMMITTEE.**

MR. PRESIDENT:

SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1935.

We, a majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 89, entitled: "An Act relating to declaratory judgments and providing therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman.*

We concur in this report: A. M. Murfin, Judson W. Shorett, H. I. Kyle, J. A. Murphy, Fred S. Duggan, Geo. F. McAulay, Chas. H. Todd, C. F. Stinson.

## SENATE CHAMBER,

OLYMPIA, WASH., February 18, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 89, 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.*

I concur in this report: Ed. Peirce.

On motion of Senator Steele, 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. 89, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Todd, Worum—37.

Those voting nay were: Senators Peirce, Thomas—2.

Absent or not voting: Senators Drumbheller, Lovejoy, Maxwell, Miller, Nelson, Nugent, 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.

**House Bill No. 518:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,

OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 518, entitled: "An Act relating to crime and amending Section 2424 and Section 2427 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 2, being line 31 of page 1 of the original bill, the same being line 21 of the printed bill, by striking after the word "disseminated," all of the remainder of said section which reads as follows: "but in every prosecution for libel the defendant may show in his defense that the matter complained of was published without his knowledge or fault and against his wishes by another who had no authority from him to make such publication, and was retracted by him as soon as known with an equal degree of publicity," and by inserting in lieu thereof the following words "*Provided, That in any prosecution or action for libel it shall be an absolute defense if the defendant shows that the matter complained of was published without his knowledge or fault and against his wishes by another who had no authority from him to make such publication and was promptly retracted by the defendant with an equal degree of publicity upon written request of the complainant.*"

E. N. STEELE, *Chairman.*

We concur in this report: Chas. H. Todd, Geo. F. McAulay, A. M. Murfin, C. F. Stinson, Fred S. Duggan, Ralph Metcalf, E. L. Brunton.

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

Senator Roland moved that House Bill No. 518 be indefinitely postponed.

Senator Todd moved that the motion by Senator Roland be laid on the table.

The motion by Senator Todd carried.

Senator Reardon moved the adoption of the committee amendment.

Senator Morrow moved that the committee amendment be laid on the table.

The motion by Senator Morrow lost.

The motion by Senator Reardon carried.

Senator Todd moved the adoption of the following amendment:

Amend Section No. 1, line 4, by inserting after the words "radio broadcasting or" the words "which shall."

Senator Ryan (Scott M.) moved that the amendment by Senator Todd be laid on the table.

The motion by Senator Ryan (Scott M.) lost.

The motion by Senator Todd carried.

Senators Ryan (J. H.), Orndorff and Reardon demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of House Bill No. 518, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Malstrom, McAulay, McMillan, Mehner, Metcalf, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—28.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—15.

Absent or not voting: Senators Lovejoy, Maxwell, Nelson—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 Malstrom gave notice that at the proper time she would move to reconsider the vote by which House Bill No. 518 passed the Senate.

Senator Nugent moved that the Senate refer back to the sixth order of business for the purpose of introducing a House bill.

The motion lost.

**Engrossed House Bill No. 228**, by Mr. Cohen (by request), entitled: "An Act relating to the deposit of public funds in banks by city treasurers, providing for the rate of interest thereon, creating city finance committees, prescribing the duties of such committees, amending Sections 5569 and 5572 of Remington's Revised Statutes, amending Chapter 103 of the Laws of 1905 by adding a new section thereto to be known as Section 4, amending Chapter 22 of the Laws of 1907 by adding a new section thereto to be known as Section 5, and declaring an emergency," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 228, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Peirce, Reardon, Roland,

Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Thein, Thomas, Worum—36.

Absent or not voting: Senators Ferryman, Lovejoy, Maxwell, McAulay, Miller, Murphy (Kebel), Nelson, Smith, Tewksbury, 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.

**Engrossed House Bill No. 434**, by Committee on Game and Game Fish, entitled: "An Act providing for and regulating the payment of certain bounties for the killing of certain predatory animals and defining the duties of the director of game in connection therewith; providing for certain additional license fees; making an appropriation and declaring an emergency," was read the third time.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 434.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Reardon, the following amendment made in the committee of the whole was adopted:

Amend Section No. 6, page 2, line 27 of the printed bill, strike the period (.) and add the following: "and the interest rate on such warrants issued shall not exceed six per cent (6%)."

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 Mehner, McAulay and Keller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 434, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Roland, Ryan (J. H.), Ryan (Scott M.), Smith, Stinson, Tewksbury, Thein, Todd, Worum—33.

Those voting nay were: Senators Ferryman, Peirce, Thomas—3.

Absent or not voting were: Senators Drumheller, Kyle, Lovejoy, Miller, Morrow, Nelson, Reardon, Ronald, Shorett, Steele—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. 262**, by Representative Hales, entitled: "An Act relating to the deposit of public funds in banks by the several county treasurers of this state and repealing Section 4 of Chapter 45 of the Laws of the Extraordinary Session of 1933," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 262, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—35.

Absent or not voting: Senators Drumheller, Kyle, Lovejoy, Maxwell, Miller, Murphy (Kebel), Nelson, Peirce, Reardon, Ronald, Steele—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.

At 4:50 o'clock p. m., on motion of Senator Peirce, the Senate recessed until 7:30 o'clock p. m.

### EVENING SESSION.

The Senate reconvened at 7:30 o'clock p. m., President Meyers in the Chair.

Senators Murphy (Kebel), Malstrom and Dailey 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 except Senators Lovejoy and Nelson, who were excused.

On motion of Senator Malstrom, the Senate proceeded under the call of the Senate.

Senator Reardon moved that the Committee on Public Welfare and Unemployed Relief be discharged of further consideration of House Bills Nos. 584 and 158, and that the bills be returned to the Senate for further action.

Senator Kerstetter moved that the motion by Senator Reardon be laid on the table.

The motion by Senator Kerstetter carried.

Senator Maxwell moved that the Senate dispense with the further call of the Senate.

The motion by Senator Maxwell lost.

The Secretary read:

### REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 137, entitled: "An Act relating to the care of persons suffering from tuberculosis, authorizing the establishment, maintenance and operation of joint county sanatoria for the treatment of such persons, and providing state aid therefor," have compared same with the Engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 191, entitled: "An Act establishing a fund in the state treasury to be known as the Federal Co-operative Agricultural Extension Fund, transferring certain moneys in and to be paid into the state treasury and abolishing the Smith-Lever and Capper-Ketcham Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the Engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 195, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Scientific School 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, 1935," have compared same with the Engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 192, entitled: "An Act transferring certain moneys in the Lateral Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with Engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, W. J. Knutzen.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 194, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, W. J. Knutzen.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Printing, to whom was referred Engrossed House Bill No. 590, entitled: "An Act relating to public printing and the compensation to be paid therefor, and amending Sections 10329, 10330 and 10333, Remington's Revised Statutes and repealing Section 10332, 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: K. Reardon, J. H. Ryan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred Substitute House Joint Memorial No. 15: "Relating to the action of the President of the United States in lifting the tariff on hay and livestock feed from Canada, and the action by the Secretary of Agriculture in signing an agreement authorizing an 'Agency for deficiency distribution' for the distribution in the United States of wheat, other grains, hay and livestock feed from Canada," 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.*

I concur in this report: Earl Maxwell.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Joint Memorial No. 18: "Relating to the construction of the Pacific International Highway to Fairbanks, Alaska," 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.*

I concur in this report: Earl Maxwell.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 319, entitled: "An Act relating to the payment of retained pay for enlisted men of the National Guard 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.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Geo. H. Gannon, J. A. Murphy, G. B. Kerstetter, D. O. Nugent, Geo. A. Lovejoy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred Engrossed House Bill No. 223, entitled: "An Act relating to the practice of optometry, providing for the regulation of the same and providing penalties for the violation thereof and amending Section 7, Chapter 144 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. D. O. NUGENT, *Chairman*.

We concur in this report: G. B. Kerstetter, Kathryn E. Malstrom, Horace E. Smith, Earl Maxwell.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House Bill No. 176, entitled: "An Act appropriating the sum of one hundred twenty-four thousand dollars (\$124,000.00), or so much thereof as may be necessary, for the payment of salaries and wages at the State College of Washington and declaring an emergency," 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, G. B. Kerstetter, Ed. Peirce, W. C. Dawson, Geo. H. Gannon, Geo. A. Lovejoy, J. A. Murphy.

On motion of Senator Gannon the report of the committee was received and the bill was placed on general file.

The Committee on Appropriations recommended that Senate Bill No. 341 do pass with certain amendments.

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

The Committee on Judiciary recommended that Senate Bill No. 350 do pass with certain amendments.

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

Senator McAulay moved that the further call of the Senate be dispensed with.

The motion lost.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 7, 1935

MR. PRESIDENT:

The Speaker has signed House Bill No. 5; also  
House Bill No. 435; also  
Substitute Senate Bill No. 155; also  
The House has passed Engrossed Senate Bill No. 14; also  
Engrossed Senate Bill No. 76; also  
Senate Bill No. 88; also  
Engrossed Senate Bill No. 89; also  
Engrossed Senate Bill No. 99; also  
Engrossed Senate Bill No. 149; also  
Engrossed Senate Bill No. 161; also  
Senate Bill No. 182; also  
Senate Bill No. 183; also  
Senate Bill No. 184; also

Senate Bill No. 185; also  
 Engrossed Senate Bill No. 186; also  
 Engrossed Senate Bill No. 188; also  
 Engrossed Senate Bill No. 189; also  
 Senate Bill No. 190; also  
 Senate Bill No. 198; also  
 Senate Bill No. 200; also  
 Engrossed Senate Bill No. 201; also  
 Engrossed Senate Bill No. 203; also  
 House Joint Resolution No. 19; also  
 Substitute Senate Bill No. 92,

and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Steele moved that all bills passed by the Senate to today, unless notice of reconsideration has been given, be immediately transmitted to the House.

The motion carried.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 151 with the following amendments:

In Section 1, line 18 of the printed bill, strike the word "bond" and insert in lieu thereof the word "bonds."

In Section 1, line 25, strike the period after the word "maturity" and insert in lieu thereof a semi-colon (;) and add thereto the following: *Provided, That the State Finance Committee shall have no authority to sell any bonds under its control without a unanimous vote of its membership at a meeting at which all members are present;*; and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Steele moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 151.

The motion by Senator Steele carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 151, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—41.

Those voting nay were: Senator Miller—1.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 152 with the following amendment:

In Section 1, line 10 of the printed bill, after the period (.) insert the following:

"Upon such investment being made, the state auditor shall draw his warrant on said fund for the amount so invested, and the bonds so purchased shall be deposited with the state treasurer, whose duty it shall be to collect all interest payments falling due thereon, and the principal at maturity.," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Gannon moved that the Senate concur in the House amendment to Engrossed Senate Bill No. 152.

The motion by Senator Gannon carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 152, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—41.

Those voting nay were: Senator Miller—1.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 353**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to oyster lands and repealing Chapters XXIV (24) and XXV (25) of the Laws of 1895, and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 353, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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 signed House Bills Nos. 5 and 485; Senate Bills Nos. 137, 191, 194, 195 and 192.

**House Bill No. 109**, by Representative Cohen (by departmental request), entitled: "An Act authorizing and directing a conveyance by quit-claim deed in behalf of the State of Washington to the Estate of J. H. Payne, deceased, of certain real estate," 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 Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 110**, by Representative Cohen (by departmental request), entitled: "An Act authorizing and directing a conveyance of quit-claim deed in behalf of the State of Washington to the Great Northern Railway Company of certain real estate," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 110, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 111**, by Representative Cohen (by departmental request), entitled: "An Act authorizing and directing a conveyance by quit-claim deed in behalf of the State of Washington to Olive Sunde and Ruby Christenson of certain real estate," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 111, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 112**, by Representative Cohen (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," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 112, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—40.

Those voting nay were: Senators Murphy (Kebel), Thomas—2.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 113**, by Representative Cohen (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," was read the third time.

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 Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—41.

Those voting nay were: Senator Thomas—1.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 324**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the selection, control, management, sale, lease and disposition of lands, waterways, reserves, mineral rights and areas belonging to or held in trust by the state and repealing certain acts relating thereto," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 324, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 325**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the appraisal of state lands, tide or shore lands belonging to the state, materials thereon or on beds of navigable waters belonging to the state, amending Chapter 255 of the Laws of 1927, and repealing certain acts relating thereto," 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 Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 326**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act making the tide lands along the shore and beach of the Pacific Ocean in Jefferson and Clallam Counties a public highway, and declaring an emergency," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 326, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 328**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the sale of a tract of state land for cemetery purposes," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 328, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—41.

Those voting nay were— Senator Tewksbury—1.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 329**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the disposition of improvements on state lands and amending Section 34, Chapter 255, Session Laws of 1927," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 329, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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. 330**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the acquirement of lands for rights of way and drainage of and unobstructed vision for state highways and for the purpose of securing sand pits, gravel pits, borrow pits, stone quarries and maintenance camp sites, and rights of way to gain access thereto, and the payment for timber from state lands, amending Section 1, Chapter 160, Laws of the Extraordinary Session of 1925," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 330, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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 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., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Flood Control, to whom was referred Senate Bill No. 364, entitled: "An Act relating to flood control, providing a state policy of participation therein with the United States and with flood control districts, and counties acting

jointly in the control of rivers subject to flood conditions through the agency of the state department of conservation and development, creating a debt, authorizing the issuance and sale of state bonds for payment of the principal and interest of said bonds for such object, creating a sinking fund, to be known as 'General Obligation Bonds of 1936 Retirement Fund,' making an appropriation therefor, and submitting this act to the people for their approval or rejection at the general election in November, 1936," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 364 be substituted therefor and that the substitute bill do pass.

EARL MAXWELL, *Chairman.*

We concur in this report: J. W. Thein, H. I. Kyle, L. E. Tewksbury, K. W. Reardon, C. Nifty Garrett, W. J. Knutzen, F. G. Barnes.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 70, entitled: "An Act providing for the regulation and supervision of the issuance of certain securities, as the same are herein defined, to prevent fraud in the sale thereof, providing penalties and repealing Chapter 69 of the Laws of 1923 and Chapter 133 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 Substitute Senate Bill No. 70 be substituted therefor and that it do pass. E. N. STEELE, *Chairman.*

We concur in this report: H. I. Kyle, Ed. Peirce, Fred S. Duggan, J. A. Murphy, Chas. H. Todd, A. M. Murfin.

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

#### GENERAL FILE.

#### House Bill No. 331:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 27, 1935.

MR. PRESIDENT:

We, your Committee on Forestry and Logged Off Lands, to whom was referred House Bill No. 331, entitled: "An Act expressing the consent of the Legislature of the State of Washington to the acquisition of lands in the State under the provisions of the act of Congress entitled 'An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers,' approved March 1, 1911, 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:

Line 2 of the printed bill and line 11 of the original bill in Section 1, strike out all the words and the commas before and after the words starting with the word "Gift" and ending with the word "compensation" and inserting in lieu thereof the words "or gift."

Section 1 and line 15 of the printed bill and line 28 of the original bill strike out the remainder of the section after the word "further" and insert in lieu thereof the words "That before any acquirement of lands be made under the provisions of this Act, such acquisition shall be approved by the State Forest Board, and Further provided, that the State of Washington shall retain concurrent jurisdiction to tax persons and corporations and their property and transaction on such lands so acquired."

J. D. BENTSON, *Chairman.*

We concur in this report: D. E. McMillan, Scott M. Ryan, Earl Maxwell, J. W. Thein.

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

On motion of Senator Bengtson, the committee amendments were adopted.

The Secretary called the roll on the final passage of House Bill No. 331, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Barnes, Lovejoy, Maxwell, Nelson—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 Ronald, the further call of the Senate was dispensed with.

At 10:40 o'clock p. m., on motion of Senator Reardon, the Senate adjourned until 10:30 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## FIFTY-FOURTH DAY

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### MORNING SESSION.

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SENATE CHAMBER,

OLYMPIA, WASH., Friday, March 8, 1935.

The Senate was called to order at 10:30 o'clock a. m., by President Victor A. Meyers, pursuant to adjournment.

Reverend Walter G. Comin of the First United Presbyterian Church offered prayer.

The Secretary called the roll, all members being present.

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

Senator McAulay moved that the Senate reconsider the vote by which Senate Bill No. 268 passed the Senate.

The motion by Senator McAulay lost.

The Secretary read:

**House Joint Resolution No. 19**, by Representatives Yantis, Twidwell, Hall, Bice, Johnson (W. A.), Bell, Wanamaker, Jones, Carty, Parker and Keen: "Relating to an amendment to Section 1 of Article VII of the Constitution of the State of Washington."

Senator Thomas moved that the rules be suspended, that the resolution be read the second time by title, read the third time and placed on final passage.

Senator Duggan moved that the motion by Senator Thomas be laid on the table.

The motion by Senator Duggan carried.

Senator Thomas moved that House Joint Resolution No. 19 be referred directly to general file.

The motion by Senator Thomas lost.

On motion of Senator Peirce, the rules were suspended, the resolution was read the second time by title, and referred to the Committee on Constitutional Revision.

The Secretary read:

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 14, entitled: "An Act to provide an institution for the confinement, cure, care and rehabilitation of drug addicts, and providing for the government, maintenance and control thereof, and providing for the admission and commitment of drug addicts thereto, and providing penalties for unlawfully conniving to have persons adjudged drug addicts, and providing penalties for procuring the escape or aiding or abetting the escape of inmates thereof and/or the harboring and concealing of escaped inmates thereof," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 76, entitled: "An Act relating to the organization, management and supervision of savings and loan associations; authorizing associations to procure mortgage insurance from the Federal Housing Administration and savings insurance from the Federal Savings and Loan Insurance Corporation; enabling such associations to correlate with the Federal Housing Administration under Titles II, III, and IV of the National Housing Act; authorizing associations to cancel notices of withdrawal; amending Sections 47, 49, 56, 78 and 112 of Chapter 183, Laws of 1933, and declaring that this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 88, entitled: "An Act relating to banks, trust companies and mutual savings banks; providing for the issuance of capital notes or debentures; defining the meaning thereof and construing the term capital as used herein; providing such capital notes and debentures shall be subordinate to depositors and other creditors; that capital stock may be carried on the books at less than par; that no assessments shall be levied upon

the holders of capital notes or debentures; repealing all acts and parts of acts in conflict herewith," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 89, entitled: "An Act relating to banks and trust companies; providing for the re-payment of sums deposited with the state treasurer as superadded liability of stockholders; repealing Section 4, Chapter 42, Laws of 1933 (Remington's Revised Statutes Section 3229-2)," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 99, entitled: "An Act relating to the custody, testing and preparing of voting machines, and amending Section 5309 of Remington's Compiled Statutes," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 149, entitled: "An Act relating to the rate of interest to be paid by state depositories upon moneys deposited by the commissioner of public lands and amending Section 4, Chapter 51 of the Laws of 1911 (Section 5558 Remington's Revised Statutes) and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 182, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the State Fair Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 183, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Charitable Educational Penal and Reformatory Institution 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, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No 290, entitled: "An Act relating to the assessment and taxation of the property of railroad companies, motor vehicle transportation companies, airplane companies, electric light and power companies, telegraph companies, telephone companies, gas companies, pipe line companies, water companies, heating companies, toll bridge companies, steamboat companies and logging railroad companies; providing penalties for the violation thereof; repealing Sections 35 to 50, inclusive of Chapter 130, Laws of the Extraordinary Session of 1925, and all other acts and parts of acts in conflict therewith; 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.

PAUL MEHNER, *Chairman.*

We concur in this report: A. M. Murfin, H. I. Kyle, Ralph Metcalf, F. G. Barnes, Fred S. Duggan, W. R. Orndorff, W. J. Knutzen, L. E. Tewksbury, Mary Farquharson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 498, entitled: "An Act relating to taxation, prescribing the powers and duties of the tax commission of the State of Washington, amending Section 2, Chapter 115, Laws of 1905, as amended by Section 1, Chapter 220, Laws of 1907, and declaring 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.

PAUL MEHNER, *Chairman.*

We concur in this report: A. M. Murfin, Paul G. Thomas, Ralph Metcalf, F. G. Barnes, H. I. Kyle, W. R. Orndorff, W. J. Knutzen, L. E. Tewksbury, Fred S. Duggan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 310, entitled: "An Act relating to water power districts and amending Section 11588 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.

E. N. STEELE, *Chairman.*

We concur in this report: H. I. Kyle, Fred S. Duggan, A. M. Murfin, Geo. F. McAulay, C. F. Stinson, Judson W. Shorett, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 320, entitled: "An Act relating to the regulation and control of waters within the State of Washington and rights to the use thereof, providing for the setting aside of non-navigable streams for domestic and municipal use and supply, withdrawing said streams from future appropriation, except as herein provided, amending Section 7351, Remington's Revised Statutes of the State of Washington, repealing all acts or parts of acts in conflict herewith 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.

E. N. STEELE, *Chairman*.

We concur in this report: H. I. Kyle, Fred S. Duggan, A. M. Murfin, Geo. F. McAulay, C. F. Stinson, Judson W. Shorett, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 332, entitled: "An Act relating to publication and sale of Washington Supreme Court Reports and amending Section 3, Chapter 167, of Laws of 1905 (Section 11066 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.

E. N. STEELE, *Chairman*.

We concur in this report: C. F. Stinson, A. M. Murfin, H. I. Kyle, Fred S. Duggan, Chas. H. Todd, Geo. F. McAulay, Judson W. Shorett, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 366, entitled: "An Act to declare the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and/or projects to provide dwelling accommodations for persons of low income; to provide for the creation of such housing authorities; to define the powers and duties of housing authorities and to provide for the exercise of such powers, including acquiring property by purchase, gift or eminent domain, and including borrowing money, issuing revenue and credit bonds and other obligations, and giving security therefor; to confer remedies on obligees of housing authorities; to provide that the bonds of the authority shall be legal investments; to provide that housing authorities, their property and securities shall be tax exempt; and to declare 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.

E. N. STEELE, *Chairman*.

We concur in this report: H. I. Kyle, A. M. Murfin, C. F. Stinson, Chas. H. Todd, Fred S. Duggan, Judson W. Shorett, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred Senate Bill No. 69, entitled: "An Act relating to the deposit of moneys and assets held by bonded fiduciaries, and providing for agreements between surety and fiduciary as to place of

deposit of such funds and assets," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

GEO. H. GANNON, *Chairman.*

We concur in this report. A. M. Murfin, Fred S. Duggan, E. L. Brunton, Kathryn E. Malstrom, J. Drumheller, Fred Norman, Geo. A. Lovejoy, Judson W. Shorett.

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

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

The House has passed Senate Bill No. 54 with the following amendment:

Amend Section 1, line 3 of the printed bill, being line 7 of the original bill, after the word "banking" insert a period (.) and strike the remainder of said section and insert in lieu thereof the following words: "Such Mutual savings bank may pay not to exceed fifty per cent (50%) of the cost of providing such pension, and such portion to be paid by the mutual savings bank not to exceed five per cent (5%) of the monthly salary of the employee participating.", and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Murphy (James A.) moved that the Senate concur in the House amendment to Senate Bill No. 54.

The motion by Senator Murphy (James A.) carried.

The Secretary called the roll on the final passage of Senate Bill No. 54, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Knutzen, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—39.

Absent or not voting: Senators Dailey, Ferryman, Kerstetter, Malstrom, Miller, Murphy (Kebel), Nugent—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 Bills Nos. 14, 76, 89, 99, 149, 88, 182 and 183.

#### INTRODUCTION OF BILLS.

**Engrossed House Bill No. 236**, by Representative McDonald (J. D.), entitled: "An Act relating to and regulating the practices of hairdressing and beauty culture and the conducting of schools for the teaching of such practices; providing for the licensing of persons to practice hairdressing and beauty culture and to conduct schools for the teaching thereof; providing penalties, and repealing Chapter 281 of the Laws of 1927."

The bill was read the first time, and on motion of Senator Nugent 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.

**Substitute Senate Bill No. 364**, by Committee on Flood Control, entitled: "An Act relating to flood control, providing a state policy of participation therein with the United States and with flood control districts, counties, and

counties acting jointly in the control of rivers subject to flood conditions, through the agency of the state department of conservation and development, granting certain powers in relation thereto to such flood control districts, counties, and counties so acting jointly, creating a debt, authorizing the issuance and sale of state bonds for payment of the principal and interest of said bonds for such object, creating a sinking fund, to be known as 'General Obligation Bonds of 1936 Retirement Fund,' making an appropriation therefor, and submitting this act to the people for their approval or rejection at the general election in November, 1936."

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.

**Substitute Senate Bill No. 70**, by Committee on Judiciary, 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 Sections 2 and 6, Chapter 69, Laws of 1923; amending said act by adding thereto a new section to be designated 14-a, and repealing Section 2 ½, Chapter 69, Laws of 1923; and providing that this act shall take effect immediately."

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

#### **SPECIAL ORDER.**

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Substitute Senate Bill No. 55.

Senator Ronald moved that Substitute Senate Bill No. 55 be made a special order of business for 10:30 o'clock a. m., Monday.

The motion by Senator Ronald carried.

#### **SPECIAL ORDER.**

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Senate Bill No. 287.

On motion of Senator Smith, the Senate resolved itself into a committee of the whole to further consider Senate Bill No. 287.

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.

On motion of Senator Reardon, the following amendments made in the committee of the whole, were adopted:

Amend Section 2 of amendment by striking words and numerals "two hundred thousand dollars (\$200,000.00)" and substitute therefor the following: "seventy five thousand dollars (\$75,000.00)."

Amend the title to Senate Bill No. 287 by inserting after the word "the" in line 2 of the printed bill, the words "purchase of real estate and."

Amend the title to Senate Bill No. 287 in line 2 of the printed bill by striking the words "on 'Capitol Place'."

Senator Murphy (Kebel) 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. 287, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Ronald, Ryan (J. H.), Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—36.

Those voting nay were: Senators Kerstetter, Reardon, Roland, Ryan (Scott M.), Shorett, Thomas—6.

Absent or not voting: Senators Drumheller, Farquharson, Morrow, Nugent—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. 351**, by Committee on Rules and Joint Rules, entitled: "An Act appropriating the additional sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary, for the printing of the Twenty-fourth Legislature of the State of Washington; and declaring an emergency," was read the third time.

**Senate Bill No. 352**, by Committee on Rules and Joint Rules, entitled: "An Act appropriating the additional sum of thirty thousand dollars (\$30,000.00), or so much thereof as may be necessary, for the expenses of the Twenty-fourth Legislature of the State of Washington; and declaring an emergency," was read the third time.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Senate Bills Nos. 351 and 352.

The bills were considered in the committee of the whole, Senator Murphy (Kebel) in the chair, and reported back to the Senate with the recommendation that they do pass.

On motion of Senator Murphy (Kebel), the reports of the committee were adopted.

Senator Miller moved that the reading had in the committee of the whole be considered the third reading of Senate Bill No. 351 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. 351, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Duggan, Farquharson, Gannon, Garrett, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Miller, Morrow, Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Thein, Thomas, Worum—28.

Those voting nay were: Senators Brunton, Dawson, Ferryman, Keller, Kerstetter, Mehner, Metcalf, Murphy (James A.), Norman, Roland, Ronald, Stinson, Todd—13.

Absent or not voting: Senators Drumheller, Maxwell, Murfin, Smith, Tewksbury—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 Miller moved that the reading had in the committee of the whole be considered the third reading of Senate Bill No. 352 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. 352, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Miller, Morrow, Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Thein, Thomas—26.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Ferryman, Kerstetter, Knutzen, Mehner, Metcalf, Murphy (James A.), Norman, Roland, Ronald, Stinson, Todd, Worum—16.

Absent or not voting: Senators Maxwell, Murfin, Smith, Tewksbury—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 11:40 o'clock a. m., on motion of Senator Lovejoy, the Senate recessed until 2:30 o'clock p. m.

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### AFTERNOON SESSION.

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The Senate reconvened at 2:30 o'clock p. m., President Meyers in the chair.

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., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 297, entitled: "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state for public works projects," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

E. N. STEELE, *Chairman.*

We concur in this report: Judson W. Shorett, A. M. Murfin, H. I. Kyle, Fred S. Duggan, John F. Worum, Ralph Metcalf.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 298, entitled: "An Act relating to public utilities owned by cities and towns providing for submission to voters of systems or plans proposed and amending Section 2 of Chapter 150, Session Laws of 1909 as amended by Section 2 of Chapter 53, Session Laws of 1931 (Section 9489, 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.

E. N. STEELE, *Chairman*.

We concur in this report: A. M. Murfin, H. I. Kyle, Judson W. Shorett, Fred S. Duggan, John F. Worum, Ralph Metcalf.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred Senate Bill No. 344, entitled: "An Act providing for the investment of available county funds of Class A and first class counties and of certain municipal corporations within such counties, in warrants of such counties and municipal corporations of such counties by County Finance Committee 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.

J. P. KELLER, *Chairman*.

We concur in this report: Fred Norman, S. C. Roland.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 587, entitled: "An Act authorizing boards of county commissioners to exchange certain county lands of equal value; to sell certain lands classified as agricultural lands upon terms and conditions; and exempting said lands from taxation for a period of years," 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: Geo. F. McAulay, John F. Worum, Fred Norman, S. C. Roland.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred Senate Bill No. 172, entitled: "An Act relating to the powers of cities of the first class in regard to public golf courses and authorizing the borrowing of money and the issuance of bonds for the purpose of constructing and maintaining the same," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

S. C. ROLAND, *Chairman*.

We concur in this report: W. R. Orndorff, J. A. Murphy, Judson W. Shorett, G. B. Kerstetter, Paul G. Thomas.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Cities of the First Class, to whom was referred House Bill No. 270, 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.

S. C. ROLAND, *Chairman*.

We concur in this report: W. R. Orndorff, J. A. Murphy, Judson W. Shorett, G. B. Kerstetter, Paul G. Thomas.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 312, entitled: "An Act relating to the licensing, examining, qualifying and education of persons engaged in the repair, installation, servicing and testing of radio and television receiving equipment, antenna systems and electrical sound amplification equipment; providing methods of administration thereof and penalties for the violation thereof 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.

J. H. RYAN, *Chairman*.

We concur in this report: Paul G. Thomas, Geo. H. Gannon, W. J. Knutzen, P. Frank Morrow.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

The Committee on Judiciary recommended that Senate Bill No. 299 do pass with certain amendments.

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

A part of the Committee on Labor and Labor Statistics recommended that Engrossed House Bill No. 413 do pass.

A part of the Committee on Labor and Labor Statistics recommended that Engrossed House Bill No. 413 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 8, 1935.

MR. PRESIDENT:

The House has concurred in Senate amendments to House Bill No. 231, and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to Engrossed Substitute House Bill No. 46, and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to Engrossed House Bill No. 285 and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to House Bill No. 331, and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendment to Engrossed House Bill No. 434, and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to Substitute House Joint Resolution No. 11, and passed the resolution as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

The House refuses to concur in Senate amendments to Engrossed House Bill No. 39, and asks the Senate to recede therefrom, and the said bill is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

Senator Mehner moved that the Senate do not recede from its amendments to Engrossed House Bill No. 39 and ask for a conference thereon.

The motion by Senator Mehner carried.

#### GENERAL FILE.

**Senate Bill No. 307**, by Senator Reardon, entitled: "An Act relating to the Department of Business Control and authorizing said department to purchase or lease certain lands," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 307, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Farquharson, Ferryman, Garrett, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Murfin, Murphy (Kebel), Nelson, Norman, Orndorff, Reardon, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—32.

Those voting nay were: Senators Miller, Morrow, Thomas—3.

Absent or not voting: Senators Dailey, Drumheller, Gannon, Keller, Knutzen, Maxwell, Murphy (James A.), Nugent, Peirce, Roland, Ryan (J. H.)—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. 350:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 350, entitled: "An Act providing for relief from involuntary unemployment, declaring the public policy of the state; providing contributions by employers for an Unemployment Compensation Fund; defining conditions of eligibility for and regulating benefits; establishing a procedure for the settlement of benefit claims and providing for court review thereof; creating an Unemployment Compensation Commission and defining the powers and duties thereof; accepting the provisions of the Wagner-Peyser Act of the United States Government; permitting reciprocal benefit arrangements with the states; providing penalties for the violation of the provisions of this act; making appropriations for the payment of the expense in the administration thereof, and for the payment of claims out of the special funds established herein and for purposes specified or to be specified in certain Acts of Congress; declaring an emergency 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 with the following amendments:

Amend line 3 of the title of the original bill, being line 2 of title of the printed bill, by inserting after the word "employers" and before the word "for" the words "and employees."

Amend Section 5, page 10, line 7 of the original bill, the same being Section 5 page 6, line 22, of the printed bill, by adding after the word "rules" a new paragraph within said section numbered five and to read as follows:

"(5) *Contributions by Employees.* Beginning January 1, 1936, each employee employed by an 'employer' subject to this act shall contribute to the fund one per centum (1%) of his wages. Each 'employer' shall be responsible for withholding such contribution from the wages of his employees, shall show such deduction on his payroll record, and shall transmit all such contributions to the fund pursuant to general commission rules. Wherever in this Act the term 'contributions by employer' is used it may be held to include the term 'contributions by employee' if such interpretation is reasonably necessary to effectuate the purposes of this act."

Amend Section 9, page 18, line 18 of the original bill, the same being Section 9, page 11, line 9 of the printed bill, by striking after the words "of the" and before the word "unemployment" the following words: "employment service account of the."

E. N. STEELE, *Chairman.*

We concur in this report: Judson W. Shorett, J. A. Murphy, H. I. Kyle, Ralph Metcalf, John F. Worum, A. M. Murfin, C. F. Stinson, Geo. F. McAulay, Ed. Peirce.

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

On motion of Senator Farquharson, 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 Lovejoy in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Murphy (Kebel), the committee amendments and the following amendments made in the committee of the whole were adopted:

Amend Section No. 12, line 3, page 14 of the printed bill; change "1935" to "1933."

Amend Section 8, page 9, line 4 of the printed bill, by striking after the figure "(1)" and before the word "Benefit" the word "Filing."

Amend Section No. 14, Sub-section (2), line 2, page 15 of the printed bill, by striking the words "or agents;" omit after the word "shall" the word "together."

Amend Section No. 14, Sub-section (2), lines 1 and 2, page 15 of the printed bill by striking the words " or other duly authorized agent."

Amend all sections by striking all titles in italics preceding sections and sub-sections.

Senator Farquharson moved the adoption of the following amendment:

Amend Section No. 7, page 8, line 11, after the word "employed" strike the period and add the following: "*Provided*, That if a properly constituted Tribunal under this Act decides that the unemployment due to a labor dispute was caused by unfair working conditions, the employee shall be eligible for compensation under the provisions of this act."

The motion by Senator Farquharson lost.

Senator Murphy (Kebel) 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 Gannon, Ryan (J. H.), and Shorett 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 Gannon, the Senate proceeded under the call of the Senate.

The Secretary called the roll on the final passage of Senate Bill No. 350, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Todd, Worum—38.

Those voting nay were: Senators Barnes, Brunton, Dawson, Knutzen, Metcalf, Smith, Thomas—7.

Absent or not voting: Senator Nugent—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 Secretary read:

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 287, entitled: "An Act authorizing the expenditure of funds from the Liquor Revolving Fund by the Washington State Liquor Control Board in the purchase of real estate and construction of an office building in Olympia, Washington," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 268, entitled: "An Act relating to the organization and administration of the state government, providing for the regulation and supervision of petroleum and natural gas, defining the powers and duties of certain officers, prohibiting certain acts, and providing penalties for the violation thereof," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Senate Bill No. 359, entitled: "An Act relating to the apportionment of the state current school fund to the counties of the state for the use of the school districts within each county, amending Section 4873 Remington's Compiled Statutes as amended by Section 5, 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.

MARY FARQUHARSON, *Chairman*.

We concur in this report: Kathryn E. Malstrom, W. R. Orndorff, J. D. Bengtson, L. E. Tewksbury.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Horticulture, to whom was referred House Bill No. 528, entitled: "An Act relating to horticulture and amending Section 29 of Chapter 166 of the Laws of 1915," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

HORACE E. SMITH, *Chairman*.

We concur in this report: John H. Ferryman, J. Drumheller, C. F. Stinson, Ed. Peirce.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Public Welfare and Unemployment Relief, to whom was referred Engrossed House Bill No. 582, entitled: "An Act relating to and providing for old-age assistance; defining the powers and duties of certain officers in connection therewith; prescribing penalties; appropriating the funds for such assistance; repealing Chapter 29, Laws of 1933, abolishing county old age pension fund, amending Section 9, Chapter 55, Laws of 1933 and declaring its effective dates," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

JAMES A. MURPHY, *Chairman*.

We concur in this report: J. W. Thein, Kathryn E. Malstrom, Ed. Peirce, W. R. Orndorff, J. P. Keller, Keiron W. Reardon, Mary Farquharson, Paul G. Thomas, Scott M. Ryan, James Dailey, J. H. Ryan.

On motion of Senator Murphy (James A.), the report of the committee was received and the bill was placed on general file.

A majority of the Committee on Public Welfare and Unemployment Relief recommended that Engrossed Substitute House Bill No. 584 do pass as amended.

A minority of the Committee on Public Welfare and Unemployment Relief recommended that Engrossed Substitute House Bill No. 584 do not pass as amended.

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., March 8, 1935.

MR. PRESIDENT:

The House has adopted House Concurrent Resolution No. 16, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

On motion of Senator Miller, the further call of the Senate was dispensed with.

At 5:15 o'clock p. m., on motion of Senator Miller, the Senate recessed until 7:30 o'clock p. m.

**EVENING SESSION.**

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The Senate reconvened at 7:30 o'clock p. m., President Meyers in the Chair.

Senators Nelson, Miller and Ryan (J. H.) 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 Nelson, the Senate proceeded under the call of the Senate.

On motion of Senator Murphy (James A.), the Senate referred back to the second order of business for the purpose of receiving a committee report.

**REPORT OF STANDING COMMITTEE.**

The Committee on Public Welfare and Unemployment Relief recommended that Engrossed House Bill No. 158 do pass with certain amendments.

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

The Secretary read:

**House Concurrent Resolution No. 16**, by Representative Adams: "Relating to consideration of House Bills in the House and Senate Bills in the Senate and consideration of conference and free conference reports."

On motion of Senator Murphy (Kebel), further action on the resolution was deferred for twenty-four hours until copies of said resolution be placed on the desks of the Senators.

The Secretary read:

**REPORTS OF COMMITTEE ON ENROLLED BILLS.**

MR. PRESIDENT:

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 54, entitled: "An Act relating to mutual savings banks and authorizing pensions for employees of such banks," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

MR. PRESIDENT:

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

Your Committee on Enrolled Bills to whom was referred Enrolled Substitute Senate Bill No. 92, entitled: "An Act relating to a system of student fees in the State College of Washington and providing for the collection and disposition of the same, and amending Section 2 of Chapter 164 of the Laws of 1921, and repealing Section 1 of Chapter 9, of the Laws of the Extraordinary Session of 1909," have compared same with the engrossed substitute bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 161, entitled: "An Act relating to insurance, amending Sections 73 and 74 of Chapter 49, Laws of 1911, further amending said chapter by adding thereto three new sections to be known as Sections 74-a, 74-b, and 74-c, and providing penalties for violation," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 184, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the University 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, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman*.

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 185, entitled: "An Act transferring certain moneys in, and to be paid into the permanent Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 186, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Highway Safety Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT :

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 188, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Auto Title Fund, and defining the duties and powers of the

state treasurer in connection therewith and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 189, entitled: "An Act establishing a fund in the state treasury to be known as the Federal Experiment Station Fund, transferring certain monies in and to be paid into the state treasury and abolishing the Adams, Hatch and Purnell Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 190, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Shoreland Improvement Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 198, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 200, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Agricultural 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, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 201, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Federal Vocational Rehabilitation Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 203, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Lewis River Hatchery Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

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

The Committee on Public Welfare and Unemployment Relief recommended that Engrossed House Bill No. 158 do pass, with certain amendments.

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

Senator Murphy (James A.) moved that Engrossed House Bill No. 158 be the first bill on tomorrow's calendar.

Senator Roland moved to amend the motion by Senator Murphy (James A.), to include Engrossed Substitute House Bill No. 584.

Senator Drumheller moved that Senator Roland's motion be laid on the table.

The motion by Senator Drumheller carried.

The motion by Senator Murphy (James A.) lost.

Senator Reardon moved that Engrossed House Bill No. 158, Engrossed Substitute House Bill No. 584 and Engrossed House Bill No. 582 be made a special order of business for tomorrow morning.

Senator Miller moved that the motion by Senator Reardon be laid on the table.

The motion by Senator Miller lost.

Senators Lovejoy, Peirce, Miller, Malstrom, Nugent, Shorett, Steele and Orndorff demanded a roll call on the motion by Senator Reardon.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Reardon and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Dawson, Farquharson, Kerstetter, Knutzen, Kyle, McMillan, Metcalf, Morrow, Murphy (James A.), Nelson, Nugent, Reardon, Roland, Ryan (Scott M.), Thomas—16.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Drum-

heller, Duggan, Ferryman, Gannon, Garrett, Lovejoy, Malstrom, Maxwell, McAulay, Mehner, Miller, Murfin, Murphy (Kebel), Norman, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—29.

Absent or not voting: Senator Keller—1.

#### GENERAL FILE.

#### Engrossed House Bill No. 158:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Public Welfare and Unemployment Relief, to whom was referred Engrossed House Bill No. 158, entitled: "An Act relating to, and to promote efficiency, order and economy in the administration of the government of the state, prescribing the powers and duties of certain officers and departments, creating the department of public welfare and the department of finance, budget and business and the offices of director of public welfare and director of finance, budget and business and certain other offices connected therewith, abolishing the emergency relief administration, department of efficiency and department of business control, accepting the provisions of Federal legislation for old-age assistance and for aid in promoting child welfare, amending Sections 2 and 3, Chapter 7, Laws of 1921, as amended by Chapter 18, Laws of 1925, Chapter 270, Laws of 1927, Chapter 115, Laws of 1929, and Chapter 3, Laws of 1933 (Sections 10760 and 10761, Remington's Revised Statutes), and declaring that the Act shall take effect April 1, 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 line 2, page 1 of the engrossed bill, same being the second line in the title of the act in the printed bill, by inserting after the word "departments," the following: "fixing maximum and minimum limits of pay."

Amend line 4, page 1 of the engrossed bill, same being the sixth line in the title of the act in the printed bill, by striking after the word "efficiency" the word "and" and inserting in lieu thereof a "comma (,)."

Amend line 4, page 1, of the engrossed bill, same being the sixth line in the title of the act in the printed bill, by inserting after the word "control," the following: "and the department of conservation and development,".

Amend lines 15 and 16, page 1 of the engrossed bill, same being lines 8 and 9, page 1 of the printed bill, by striking after the word "health \* \* \* \*" the following: "(5) the department of conservation and development, \* \* \* \*", and renumbering the succeeding divisions in this section.

Amend line 30, page 1 of the engrossed bill, same being lines 5 and 6, page 2 of the printed bill, by striking after the word "health \* \* \* \*" the following: "(5) the director of conservation and development, \* \* \* \*", and renumbering the succeeding divisions in this section.

Amend lines 11 and 12, page 2 of the engrossed bill, same being in the fifth line of House amendment to Section 2, line 8 of the original bill, by striking after the word "health," the following: "the director of conservation and development,".

Amend line 15, page 2 of the engrossed bill, same being in the last line of House amendment to Section 2, line 8 of the original bill, by striking the "period (.)" after the word "annum" and inserting in lieu thereof a "comma (,)" and adding the following: "and shall be empowered to appoint such supervisor, assistants, clerical, professional and other deputized assistants or any other labor as may be necessary for the general administration of the department at a salary not to exceed two hundred dollars (\$200) per month and at not less than one hundred dollars (\$100) per month except in case living quarters and meals are provided by the state for such employee in which case the minimum shall be sixty dollars (\$60) per month."

Amend line 10, page 6 of the engrossed bill, same being line 21, page 4 of the printed bill, by striking after the word "department" the "period (.)" and inserting in

lieu thereof a "comma (,)" and adding: "subject to the maximum and minimum rates of pay hereinbefore provided in Section 2 hereof."

Amend lines 11 to 22 inclusive, page 6 of the engrossed bill, the same being lines 22 to 30 inclusive, page 4 of the printed bill, being Section 12, by striking the same, and inserting in lieu thereof the following:

"SEC. 12. The director of finance, budget and business shall appoint and deputize an assistant director to be known as the supervisor of banking, who shall have charge and supervision of the division of banking and savings and loan associations, and have power, with the approval of the director, to appoint and employ such assistants and personnel as may be necessary to carry on the work of the division, subject to the salary limits provided in Section 2 hereof. No person shall be eligible for appointment as supervisor of banking unless he is, and for at least two years prior to his appointment has been, a citizen of the United States and a resident of this state, and has had at least two years' practical experience in banking, trust company or savings and loan business; nor if he is interested in any bank, trust company or savings and loan association as director, officer or stockholder."

Amend lines 23 to 34 inclusive, page 6 and line 1, page 7 of the engrossed bill, same being lines 31 to 39 inclusive, page 4 of the printed bill, same being Section 13, by striking the entire section, and renumbering the succeeding sections of this act.

Amend line 6, page 7 of the engrossed bill, same being line 44, page 4 of the printed bill, by striking the "period (.)" after the word "division" and inserting in lieu thereof a "comma (,)" and adding the following: "subject to the salary limits provided in Section 2 hereof."

Amend line 11, page 7 of the engrossed bill, same being line 5, page 5 of the printed bill, by striking the "period (.)" after the word "division" and inserting in lieu thereof a "comma (,)" and adding the following: "subject to the salary limits provided in Section 2 hereof."

Amend line 16, page 7 of the engrossed bill, same being line 10, page 5 of the printed bill, by striking the "period (.)" after the word "division" and inserting in lieu thereof a "comma (,)" and adding the following: "subject to the salary limits provided in Section 2 hereof."

Amend line 7, page 8 of the engrossed bill, same being line 30, page 5 of the printed bill, by inserting after the word "efficiency," the following: "except the powers of examination and auditing of all state departments and institutions, and."

After Section 20 on page 8 of the engrossed bill, being page 5 of the printed bill, insert a new section numbered 20A as follows:

"SEC. 20A. The commissioner of lands shall have the power and it shall be his duty through and by means of the departments of lands:

"(1) To exercise all the powers and perform all the duties now vested in, and required to be performed by the director of conservation and development."

Amend line 10, page 9 of the engrossed bill, same being line 16, page 6 of the printed bill, by inserting after the word "control," the following: "and the department of conservation and development,"

JAMES A. MURPHY, *Chairman*.

We concur in this report: J. W. Thein, W. R. Orndorff, Scott M. Ryan, Kathryn E. Malstrom, J. H. Ryan, J. P. Keller, Ed. Peirce.

On motion of Senator Murphy (James A.), the report of the committee was received and the bill was read the third time.

The Secretary read:

Amend line 2, page 1 of the engrossed bill, same being the second line in the title of the act in the printed bill, by inserting after the word "departments," the following: "fixing maximum and minimum limits of pay,".

Senator Steele moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Steele carried.

Senator Thomas moved the adoption of the following amendment:

Amend Section 1, Subsection 2, line 8, after the word "Health" add the following: "with medical freedom for all."

The motion by Senator Thomas lost.

The Secretary read:

Amend line 4, page 1 of the engrossed bill, same being the sixth line in the title of the act in the printed bill, by striking after the word "efficiency" the word "and" and inserting in lieu thereof "a comma (,)."

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

Senator Miller moved the adoption of the following amendment:

Amend Section No. 2, line 15 of the engrossed bill, strike the words "\$4000" and insert in lieu thereof "\$6000."

Senator Morrow moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Morrow carried.

The Secretary read:

Amend line 4, page 1 of the engrossed bill, same being the sixth line in the title of the act in the printed bill, by inserting after the word "control," the following: "and the department of conservation and development,".

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

The Secretary read:

Amend lines 15 and 16, page 1 of the engrossed bill, same being lines 8 and 9, page 1 of the printed bill, by striking after the word "health \* \* \* \*" the following: "(5) the department of conservation and development, \* \* \* \*\*", and renumbering the succeeding divisions in this section.

Senator Gannon moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Gannon carried.

Senator Thomas moved the adoption of the following amendment:

Amend Section No. 3, line 22, page 2, strike words commencing with "so long" to end of sentence.

Senator Gannon moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Gannon carried.

The Secretary read:

Amend line 30, page 1 of the engrossed bill, same being lines 5 and 6, page 2 of the printed bill, by striking after the word "health \* \* \* \*" the following: "(5) the director of conservation and development, \* \* \* \*\*", and renumbering the succeeding divisions in this section.

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

The Secretary read:

Amend lines 11 and 12, page 2 of the engrossed bill, same being in the fifth line of House amendment to Section 2, line 8 of the original bill, by striking after the word "health," the following: "the director of conservation and development."

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

The Secretary read:

Amend line 15, page 2 of the engrossed bill, same being in the last line of House amendment to Section 2, line 8 of the original bill, by striking the "period (.)" after the word "annum" and inserting in lieu thereof a "comma (,)" and adding the following: "and shall be empowered to appoint such supervisor, assistants, clerical, professional and other deputized assistants or any other labor as may be necessary for the general administration of the department at a salary not to exceed two hundred dollars (\$200) per month and at not less than one hundred dollars (\$100) per month except in case living quarters and meals are provided by the state for such employee in which case the minimum shall be sixty dollars (\$60) per month."

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

Senator Thomas moved the adoption of the following amendment:

Amend Section No. 12, line 27, page 4: Strike the word "two" and substitute the word "ten."

Senator Nugent moved that the amendment be laid on the table.

The motion by Senator Nugent lost.

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

The Secretary read:

Amend line 10, page 6 of the engrossed bill, same being line 21, page 4 of the printed bill, by striking after the word "department" the "period (.)" and inserting in lieu thereof a "comma (,)" and adding: "subject to the maximum and minimum rates of pay hereinbefore provided in Section 2 hereof."

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

The Secretary read:

Amend lines 11 to 22 inclusive, page 6 of the engrossed bill, same being lines 22 to 30 inclusive, page 4 of the printed bill, being Section 12, by striking the same and inserting in lieu thereof the following:

"SEC. 12. The director of finance, budget and business shall appoint and deputize an assistant director to be known as the supervisor of banking, who shall have charge and supervision of the division of banking and savings and loan associations, and have power, with the approval of the director, to appoint and employ such assistants and personnel as may be necessary to carry on the work of the division, subject to the salary limits provided in Section 2 hereof. No person shall be eligible for appointment as supervisor of banking unless he is, and for at least two years prior to his appointment has been, a citizen of the United States and a resident of this state, and has had at least two years' practical experience in banking, trust company or savings and loan business; nor if he is interested in any bank, trust company or savings and loan association as director, officer or stockholder."

Senator Ryan (J. H.) moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Ryan (J. H.) carried.

The Secretary read:

Amend lines 23 to 34 inclusive, page 6 and line 1, page 7 of the engrossed bill, same being lines 31 to 39 inclusive, page 4 of the printed bill, same being Section 13, by striking the entire section, and renumbering the succeeding sections of this act.

Senator Ryan (J. H.) moved that the committee amendment be laid on the table without taking the bill with it.

The motion by Senator Ryan (J. H.) carried.

The Secretary read:

Amend line 6, page 7 of the engrossed bill, same being line 44, page 4 of the printed bill, by striking the "period (.)" after the word "division" and inserting in lieu thereof a "comma (,)" and adding the following: "subject to the salary limits provided in Section 2 hereof."

Senator Miller moved that the committee amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

Senator Thomas moved the adoption of the following amendment:

Amend Section No. 21, page 6: Add thereto after the word "law" on line 7, page 6, "and it shall be the duty of the state auditor to audit said departments at least once a year."

Senator Ryan (J. H.) moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Ryan (J. H.) carried.

The Secretary read:

Amend line 11, page 7 of the engrossed bill, same being line 5, page 5 of the printed bill, by striking the "period (.)" after the word "division" and inserting in lieu thereof a "comma (,)" and adding the following: "subject to the salary limits provided in Section 2 hereof."

Senator Miller moved that the committee amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

The Secretary read:

Amend line 16, page 7 of the engrossed bill, same being line 10, page 5 of the printed bill, by striking the "period (.)" after the word "division" and inserting in lieu thereof a "comma (,)" and adding the following: "subject to the salary limits provided in Section 2 hereof."

Senator Miller moved that the committee amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

The Secretary read:

Amend line 7, page 8 of the engrossed bill, same being line 30, page 5 of the printed bill, by inserting after the word "efficiency," the following: "except the power of examination and auditing of all state departments and institutions, and."

Senator Miller moved that the committee amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

Senator Drumheller moved the adoption of the following amendment:

Amend Section No. 11: Amend by striking the House amendments to Section 11.

Senator Kyle moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

The Secretary read:

After Section 20 on page 8 of the engrossed bill, being page 5 of the printed bill, insert a new section numbered 20A as follows:

"SEC. 20A. The commissioner of lands shall have the power and it shall be his duty through and by means of the department of lands:

(1) To exercise all the powers and perform all the duties now vested in, and required to be performed by the director of conservation and development."

Senator Ryan (J. H.) moved that the committee amendment be laid on the table without taking the bill with it.

The motion by Senator Ryan (J. H.) carried.

The Secretary read:

Amend line 10, page 9 of the engrossed bill, same being line 16, page 6 of the printed bill, by inserting after the word "control," the following: "and the department of conservation and development,".

Senator Miller moved that the committee amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

Senators Ryan (J. H.), Miller and Murphy (James A.) demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 158, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—37.

Those voting nay were: Senators Bengtson, Brunton, Dailey, Knutzen, Norman, Reardon, Thomas, Worum—8.

Absent or not voting: Senator Keller—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 Steele, the rules were suspended and Engrossed House Bill No. 158 was ordered immediately transmitted to the House.

#### **Engrossed Substitute House Bill No. 584:**

The Secretary read:

#### **REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Public Welfare and Unemployment Relief, to whom was referred Engrossed Substitute House Bill No. 584, entitled: "An Act providing for emergency unemployment relief; defining the powers and duties of the department of public welfare in relation thereto and providing for the administration of such relief by the director of public welfare subject to the supervision and control of the governor; providing funds for such relief; making appropriations, and declaring its effective date," 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 17, page 1 of Engrossed Substitute House Bill, same being line 10, page 1 of the printed bill, by striking the word "unemployment" and inserting in lieu thereof the word "unemployed."

Amend line 22, page 1 of the engrossed substitute house bill, same being line 15, page 1 of the printed bill, by inserting after the word "support" the following: "or an opportunity to provide their own support."

Amend lines 25, 26 and 27, page 1 of the engrossed substitute house bill, same being lines 18, 19, 20 and 21, page 1 of the printed bill, by striking the "period (.)" following the word "purposes" and all of the sentence down to and including the word

"situated" and inserting in lieu thereof the following: "including the establishment, maintenance and operation of self-help cooperatives, as defined by the Federal Emergency Relief Administration Manuals SH-1 and SH-10, 'Division of Self-Help Cooperatives.' Such cooperatives shall be given preference and their formation encouraged and developed as rapidly as may be practical."

Amend line 25, page 3 of the engrossed substitute house bill, same being line 37, page 2 of the printed bill, by inserting after the word "misdemeanor" a "period (.)" and striking the remainder of the sentence down to and including the word "imprisonment."

Amend line 2, page 4 of the engrossed substitute house bill, same being line 43, page 2 of the printed bill, by inserting after the word "administration" a "period (.)" and striking the remainder of the section.

Amend line 24, page 4 of the engrossed substitute house bill, same being line 16, page 3 of the printed bill, by striking the "colon (:)" after the word "law" and inserting in lieu thereof a "period (.)," and striking the remainder of the section.

Amend line 4, page 6 of the engrossed substitute house bill, same being line 6, page 4 of the printed bill, by inserting after the word "audited" the following: "by the state auditor."

JAMES A. MURPHY, *Chairman*.

We concur in this report: Kathryn E. Malstrom, J. W. Thein, W. R. Orndorff, Scott M. Ryan, Ed. Peirce, J. P. Keller, J. H. Ryan.

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Public Welfare and Unemployment Relief, to whom was referred Engrossed Substitute House Bill No. 584, 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: Keiron W. Reardon, Paul G. Thomas, James Dailey.

On motion of Senator Murphy (James A.), the reports of the committee were received.

On motion of Senator Murphy (Kebel), the Senate resolved itself into a committee of the whole to consider Engrossed Substitute House Bill No. 584.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Peirce, the report of the committee of the whole was adopted.

On motion of Senator Murphy (Kebel), the following amendments made in the committee of the whole were adopted:

Amend Section 2, line 17, page 1 of Engrossed Substitute House Bill, same being Section 2, line 10, page 1 of the printed bill, by striking the word "unemployment" and inserting in lieu thereof the word "the unemployed."

Amend Section 10, line 6, page 3 of the printed bill, after the period (.) in line 6, strike the balance of section.

Amend Section 3, lines 25, 26 and 27, page 1 of the Engrossed Substitute House Bill, same being Section 10, lines 18, 19, 20 and 21, page 1 of the printed bill, by striking the "period (.)" following the word "purposes" and all of the sentence down to and including the word "situated" and inserting in lieu thereof the following: "including the establishment, maintenance and operation of self-help cooperatives, as defined by the Federal Emergency Relief Administration Manuals SH-1 and SH-10, 'Division of Self-Help Cooperatives.' Such cooperatives shall be given preference and their formation encouraged and developed as rapidly as may be practical."

Senator Murphy (Kebel) 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 Ryan (J. H.), Miller and Farquharson demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 584, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—39.

Those voting nay were: Senators Brunton, Dailey, Dawson, Knutzen, Thomas—5.

Absent or not voting: Senators Barnes, Keller—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, the rules were suspended and Engrossed Substitute House Bill No. 584 was ordered immediately transmitted to the House.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

The House has passed Senate Bill No. 351; also Senate Bill No. 352; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed Senate Bills Nos. 351, 352, 184, 200, 198, 201, 185, 186, 189, 161, 188, 190, 203, 54, and Substitute Senate Bill No. 92.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

The House has granted the request of the Senate for a Conference Committee on Engrossed House Bill No. 39, and the Speaker has appointed Representatives Jones, Brown and Johnson (Hans) as members thereon.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Bill No. 518, and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

## GENERAL FILE.

**Engrossed House Bill No. 582**, by Representatives Holt and Wanamaker (by executive request), entitled: "An Act relating to and providing for Old Age Assistance; defining the powers and duties of certain officers in connection therewith; describing penalties; appropriating funds for such assistance; repealing Chapter 29, Laws of 1933, abolishing county Old Age Pension Funds, amending Section 9, Chapter 55, Laws of 1933 and declaring its effective date," was read the third time.

On motion of Senator Ferryman, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 582.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Lovejoy, the following amendments made in the committee of the whole were adopted:

Amend all sections by striking all titles in italics where same appear.

Amend Section 18, line 25, page 6 of the engrossed bill, after the word "again" change the ":" to a period (.) and strike the balance of the section.

Amend Section 31, line 14, page 10 of the Engrossed bill, strike "state general fund" and insert in lieu thereof "current expense fund of said county."

Senator McAulay 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. 582 as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—40.

Those voting nay were: Senators Dawson, Morrow, Thomas—3.

Absent or not voting: Senators Barnes, Keller, Metcalf—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 Dailey gave notice that at the proper time he would move to reconsider the vote by which Engrossed House Bill No. 582 passed the Senate.

On motion of Senator Kyle, the further call of the Senate was dispensed with.

At 11:30 o'clock p. m., on motion of Senator Reardon, the Senate adjourned until 10:30 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FIFTY-FIFTH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Saturday, March 9, 1935.

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

Senator Ryan (Scott M.) offered prayer.

The Secretary called the roll, all members being present except Senator Ryan (J. H.)

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

On motion of Senator Kerstetter, Senator Ryan (J. H.) was excused.

#### REPORTS OF STANDING COMMITTEE.

The Committee on Appropriations recommended that Engrossed House Bill No. 370 do pass with certain amendments.

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

A majority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Engrossed House Bill No. 236 do pass.

A minority of the Committee on Medicine, Dentistry, Pure Food and Drugs recommended that Engrossed House Bill No. 236 do not pass.

The reports of the committee, together with the bill, were placed on general file.

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 151, entitled: "An Act providing for the investment of the Permanent School fund, the permanent funds of the normal schools, state university, scientific school, agricultural college, charitable, penal and reformatory institutions, and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, H. L. Nelson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 152, entitled: "An Act relating to the General Obligation Bonds of 1933 Retirement Fund, providing that money in said fund may be invested in United States government certificates, notes and bonds or in General Obligation Bonds of 1933 of the State of

Washington by the state finance committee," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, H. L. Nelson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 352, entitled: "An Act appropriating the additional sum of thirty thousand dollars (\$30,000.00), or so much thereof as may be necessary, for the expenses of the Twenty-Fourth Legislature of the State of Washington; and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 351, entitled: "An Act appropriating the additional sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary, for the printing of the Twenty-Fourth Legislature of the State of Washington; and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, C. Nifty Garrett.

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

#### GENERAL FILE.

**Senate Bill No. 353**, by Committee on Liquor Control, entitled: "An Act relating to intoxicating liquors, amending Section 78 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington (Section 7306-78 Rem. Rev. Stat.) and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 353, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thomas, Todd, Worum—37.

Those voting nay were: Senator Thein—1.

Absent or not voting: Senators Farquharson, Keller, Maxwell, Miller, Nugent, Reardon, Ryan (J. H.), Steele—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 Senate Bill No. 90**, by Committee on Flood Control, entitled: "An Act relating to floods, the alleviation of damage therefrom, and the regulatory control thereof, placing the administration of this act under the state supervisor of hydraulics, prescribing his authority and duties thereunder, making an appropriation therefor, and declaring that this act shall take effect immediately," was read the third time.

On motion of Senator Ferryman, the Senate resolved itself into a committee of the whole to consider Substitute Senate Bill No. 90.

The bill was considered in the committee of the whole, Senator Peirce in the chair. The committee of the whole arose and reported progress, and asked leave to sit again.

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

Senator Murphy (Kebel) 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 Murphy (Kebel) moved that Substitute Senate Bill No. 90 be made a special order of business for the next legislative day.

The motion by Senator Murphy (Kebel) carried.

**Substitute Senate Bill No. 113**, by Committee on Flood Control, entitled: "An Act relating to flood control, facilitating a policy therefor, providing for the creation of flood control districts with certain powers and duties, providing for certain state supervision and control thereof, authorizing contracts between flood control districts and the United States, the state, counties, cities, towns, diking, drainage and waterway districts for flood control purposes, providing penalties for violations thereof and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 113, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Peirce, Reardon, Roland, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—40.

Absent or not voting: Senators Keller, Murphy (Kebel), Nugent, Orndorff, Ronald, Ryan (J. H.)—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 Senate Bill No. 364**, by Committee on Flood Control, entitled: "An Act relating to flood control, providing a state policy of participation therein with the United States and with flood control districts, counties, and counties acting jointly in the control of rivers subject to flood conditions, through the agency of the state department of conservation and development, granting certain powers in relation thereto to such flood control districts, counties, and counties so acting jointly, creating a debt, authorizing the issuance and sale of state bonds for payment of the principal and interest of said bonds, for such object, creating a sinking fund, to be known

as 'General Obligation Bonds of 1936 Retirement Fund,' making an appropriation therefor, and submitting this act to the people for their approval or rejection at the general election in November, 1936," was read the third time.

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Substitute Senate Bill No. 364.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Maxwell, the following amendments made in the committee of the whole were adopted:

Amend Section 5, page 4, line 5 of the mimeographed bill, same being Section 5, page 2, line 43 of the printed bill, by inserting following the word "after" the words "the time when."

Amend Section 13, line 2 of mimeographed bill, same being Section 13, page 4, line 37 of the printed bill, after the word "approval" and before the word "or" insert the words "and ratification."

The Secretary called the roll on the final passage of Substitute Senate Bill No. 364, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Peirce, Reardon, Ronald, Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd—37.

Those voting nay were: Senators Gannon, Orndorff, Roland, Ryan (Scott M.), Stinson, Worum—6.

Absent or not voting: Senators Keller, Murphy (Kebel), Ryan (J. H.)—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:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 351; also Senate Bill No. 352; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed Substitute House Bill No. 584 and passed the bill as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk*.

The President signed Senate Bills Nos. 151 and 152.

At 11:55 o'clock a. m., on motion of Senator Miller, the Senate recessed until 2:00 o'clock p. m.

**AFTERNOON SESSION.**

The Senate reconvened at 2:00 o'clock p. m., President Meyers in the chair.

On motion of Senator Miller, 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., March 9, 1935.

MR. PRESIDENT:

We, your Committee on Memorials, to whom was referred House Joint Memorial No. 22: "Relating to the Mount Olympus National Monument," 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: Earl Maxwell, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Senate Joint Resolution No. 18, entitled: "Relating to the prohibiting of shipping of steelhead trout, from November 20th of each year to May 1st of the following year," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

L. E. TEWKSBURY, *Chairman.*

We concur in this report: H. L. Nelson, James Dailey, D. O. Nugent, Paul Mehner, Geo. A. Lovejoy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 226, entitled: "An Act relating to State Road No. 5, and amending Section 6791-4, Remington's Revised Statutes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 226 be substituted therefor, and that it do pass.

WALTER G. RONALD, *Chairman.*

We concur in this report: John F. Worum, Geo. F. McAulay, J. W. Thein, John H. Ferryman, S. C. Roland, D. E. McMillan, Horace E. Smith, Earl Maxwell, Edmund J. Miller, J. P. Keller, Geo. H. Gannon, C. Nifty Garrett, J. D. Bengtson, Fred Norman, Kebel Murphy.

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

A majority of the Committee on Roads and Bridges recommended that Engrossed Substitute House Bill No. 483 do pass as amended.

A minority of the Committee on Roads and Bridges recommended that Engrossed Substitute House Bill No. 483 do not pass as amended.

The reports of the committee, together with the bill, were placed on general file.

Senators Thomas, Morrow and Miller 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 except Senator Ryan (J. H.), who was excused.

On motion of Senator McMillan, the Senate proceeded under the call of the Senate.

On motion of Senator Kyle, the Senate referred back to the first order of business for the purpose of introducing a resolution.

The Secretary read:

#### SENATE RESOLUTION.

By Senator Kyle:

*Be It Resolved*, By the Senate in Ordinary Legislative Session Assembled:

WHEREAS, E. F. Banker, Director of Conservation and Development, has shown throughout his entire public career a lack of sympathy toward the program of public power development in this State, to which this Legislature, the Governor, Senators Bone and Schwellenbach and the entire state congressional delegation are pledged, and

WHEREAS, said E. F. Banker manifested his hostility toward said public power development program on the night before House Joint Resolution No. 10, known as the Bone-Schwellenbach Constitutional Amendment, was before this Senate, by publicly expressing his opposition to said resolution through the press, and by stating that said public power development program was state socialism, with the obvious purpose of attempting to influence the vote of members of the Senate on said resolution, and

WHEREAS, it is essential that the office of Director of Conservation and Development, who is to be the contact man between our state and the Federal government in this great program of power development, be one who is in sympathy with rather than hostile to said program, and

WHEREAS, it is common knowledge that said E. F. Banker has consistently failed to cooperate with other officials of our state government with the result that the efforts of our state government in its battle for the common good have been seriously hampered.

Now, Therefore, *Be It Resolved*, That the Senate of the State of Washington request that the Governor of this state immediately ask for the resignation of said E. F. Banker and in the event of the failure of said E. F. Banker to resign, that he be removed.

Senator Kyle moved the adoption of the resolution.

Senator Murfin moved that the motion by Senator Kyle be laid on the table.

Senators Morrow, Ferryman, Kyle, Kerstetter, Dailey, Gannon, Murphy (Kebel) and Murfin demanded a roll call on the motion by Senator Murfin.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Knutzen, Lovejoy, McAulay, McMillan, Metcalf, Murfin, Norman, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Tewksbury, Thein, Todd—23.

Those voting nay were: Senators Dailey, Ferryman, Gannon, Keller, Kerstetter, Kyle, Malstrom, Maxwell, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Peirce, Roland, Ryan (Scott M.), Shorett, Thomas, Worum—21.

Absent or not voting: Senators Farquharson, Ryan (J. H.)—2.

On motion of Senator Miller, 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., March 9, 1935.

MR. PRESIDENT:

The Speaker has signed:

Senate Bill No. 14; also  
Senate Bill No. 54; also  
Senate Bill No. 76; also  
Senate Bill No. 88; also  
Senate Bill No. 89; also  
Substitute Senate Bill No. 92; also  
Senate Bill No. 99; also  
Senate Bill No. 137; also  
Senate Bill No. 149; also  
Senate Bill No. 161; also  
Senate Bill No. 182; also  
Senate Bill No. 183; also  
Senate Bill No. 184; also  
Senate Bill No. 185; also  
Senate Bill No. 186; also  
Senate Bill No. 188; also  
Senate Bill No. 189; also  
Senate Bill No. 190; also  
Senate Bill No. 191; also  
Senate Bill No. 192; also  
Senate Bill No. 194; also  
Senate Bill No. 195; also  
Senate Bill No. 198; also  
Senate Bill No. 200; also  
Senate Bill No. 201; also  
Senate Bill No. 203; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

The Speaker has signed:

Substitute House Joint Resolution No. 11; also  
House Bill No. 109; also  
House Bill No. 110; also  
House Bill No. 111; also  
House Bill No. 112; also  
House Bill No. 113; also  
House Bill No. 158; also  
House Bill No. 228; also  
House Bill No. 231; also  
House Bill No. 262; also  
House Bill No. 324; also  
House Bill No. 325; also  
House Bill No. 326; also  
House Bill No. 328; also  
House Bill No. 329; also  
House Bill No. 330; also  
House Bill No. 331; also  
House Bill No. 353; also  
House Bill No. 434; also  
House Bill No. 518; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed Substitute House Joint Resolution No. 11, House Bills Nos. 109, 110, 111, 112, 113, 158, 228, 231, 262, 324, 325, 326, 328, 329, 330, 331, 353, 434 and 518.

**GENERAL FILE.**

**Senate Bill No. 158**, by Senator Knutzen, entitled: "An Act authorizing property to be withdrawn from a diking and/or drainage district when such property ceases to be benefited by the improvements of such district, and providing procedure therefor," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 158, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—36.

Those voting nay were: Senators Dailey, Kerstetter, Kyle, Morrow, Peirce, Roland, Ryan (Scott M.), Thomas—8.

Absent or not voting: Senators Farquharson, Ryan (J. H.)—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. 159**, by Senator Knutzen, entitled: "An Act giving and granting additional powers to the commissioners of drainage districts, defining same within the meaning of this act, providing for the extension, improvement, and betterment of the systems therein and for the protection of such district, providing for the levy and collection of assessments against land within the boundaries of said district, granting the right of eminent domain, and providing procedure for the accomplishing of all such purposes, and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 159, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—43.

Those voting nay were: Senator Roland—1.

Absent or not voting: Senators Farquharson, Ryan (J. H.)—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 as members of the conference committee on the Senate amendments to Engrossed House Bill No. 39, Senators Mehner, Orndorff and Knutzen.

**Senate Bill No. 160**, by Senator Knutzen, entitled: "An Act authorizing issuance and sale of bonds for diking and drainage districts to fund and redeem outstanding warrants of such district; providing for the call of such warrants and cessation of interest thereon; for registration of such bonds; exchange thereof for warrants; the levy of assessments for the payment of principal and interest thereon; determining how the same is chargeable; providing for the collection thereof; the fund into which the same shall be put; the call, payment, and redemption of such bonds; and declaring that this act shall take effect immediately," was read the third time.

On motion of Senator Ferryman, the following amendment was adopted:

Amend Section 8, page 2 of the printed bill; strike the whole thereof.

On motion of Senator Reardon, the following amendment was adopted:

Amend the title, line 6 of the printed bill, by striking the semi colon (;) after the word "bonds," insert a period (.) in lieu thereof and strike balance of title.

The Secretary called the roll on the final passage of Senate Bill No. 160, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—44.

Absent or not voting: Senators Farquharson, Ryan (J. H.)—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, Senate Bill No. 281 was advanced on the calendar, and Senate Bill No. 31 placed at the end of the calendar.

**Senate Bill No. 281**, by Senator Reardon, entitled: "An Act relating to education, providing for the consolidation of school districts and amending Sections 1 and 2 of Chapter 52 of the Laws of the Extraordinary Session of 1933, and Section 3, Chapter 75 of the Laws of 1933, and providing that this act shall take effect immediately," was read the third time.

Senator Reardon moved the adoption of the following amendment:

Amend Section 2 of the original bill, being Section 2, line 15, page 1 of the printed bill, by striking the words "residing in the territory affected," and inserting in lieu thereof the words "residing in each district or a majority of the families residing in said district, or upon receipt of a petition signed by twenty-five heads of families in a union high school district,".

Senator Peirce moved to amend the amendment as follows:

Amend amendment by striking words "or the heads of 25 families residing in such union district."

Senator Malstrom moved that the amendment by Senator Reardon be laid on the table.

The motion by Senator Malstrom lost.

The motion by Senator Peirce lost.

The motion by Senator Reardon carried.

Senator Gannon moved the adoption of the following amendment:

Amend Section No. 2, line 24: Strike word "or" and substitute therefor the word "and."

The motion by Senator Gannon lost.

Senator Gannon moved the adoption of the following amendment:

Amend Section No. 2, line 22: Strike word "or" and substitute word "and."

The motion by Senator Gannon lost.

Senator Duggan moved the adoption of the following amendment:

Amend Section No. 1 by striking the whole thereof and renumbering the subsequent sections and paragraphs.

The motion by Senator Duggan lost.

The Secretary called the roll on the final passage of Senate Bill No. 281, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengston, Dawson, Farquharson, Ferryman, Garrett, Keller, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Miller, Murfin, Murphy (James A.), Nelson, Nugent, Orndorff, Reardon, Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—28.

Those voting nay were: Senators Brunton, Dailey, Drumheller, Duggan, Gannon, Kerstetter, Knutzen, Kyle, Mehner, Morrow, Murphy (Kebel), Norman, Peirce, Roland, Ronald, Ryan (Scott M.), Stinson—17.

Absent or not voting: Senator Ryan (J. H.)—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. 206**, by Senator Maxwell, entitled: "An Act relating to elections and to precinct election boards and the appointment thereof; repealing Section 5 of Chapter 61, Laws of 1921, as amended by Section 1 of Chapter 79, Laws of 1933; repealing Section 3 of Chapter 170, Laws of 1921, as amended by Section 3 of Chapter 279 of Laws of 1927 and repealing Section 1 of Chapter 29, Laws of Extraordinary Session, 1933," was read the third time.

On motion of Senator Thomas, the following amendment was adopted:

Amend Section 2, line 24 of the printed bill; insert a comma (,) in lieu of period (.) and add; "from among the qualified electors in said precinct."

The Secretary called the roll on the final passage of Senate Bill No. 206, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—41.

Those voting nay were: Senators Barnes, Brunton, Dawson, Smith—4.

Absent or not voting: Senator Ryan (J. H.)—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 Murphy (James A.), the rules were suspended, and Senate Bill No. 206 was ordered engrossed and immediately transmitted to the House.

**Senate Bill No. 105**, by Senator Thomas, entitled: "An Act relating to public school playfields or athletic grounds, and authorizing boards of directors for public schools to permit the use thereof and to rent the same for athletic contests and purposes for a compensation," was read the third time.

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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—44.

Those voting nay were: Senator Peirce—1.

Absent or not voting: Senator Ryan (J. H.)—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 Reardon moved that Senate Bills No. 105, 281, 158 and 159 be immediately transmitted to the House.

The motion of Senator Reardon carried.

**Senate Bill No. 250**, by Committee on Rules and Joint Rules (by request of State Liquor Board), entitled: "An Act prohibiting the sale of intoxicating liquors within prescribed limits of state educational institutions, and repealing Sections 1 and 2 of Chapter 98 of the Laws of 1903, as amended by Sections 1 and 2 of Sub-Chapter 21 of Chapter 97 of the Laws of 1909, the same being Sections 5102 and 5103, respectively, of Remington's Revised Statutes," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 250, and it passed the Senate by the following vote:

Those voting aye were: Senators Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—32.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Farquharson, Knutzen, Kyle, Malstrom, Morrow, Murfin, Roland, Ryan (Scott M.), Thomas—13.

Absent or not voting: Senator Ryan (J. H.)—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 Joint Resolution No. 20**, by Senator Ronald: "Providing for the amendment of Section 23 of Article 2 of the Constitution of the State of Washington by providing compensation for the members of the legislature," was read the third time.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 20, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murphy (James A.), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd—36.

Those voting nay were: Senators Brunton, Dawson, Knutzen, Metcalf, Murfin, Murphy (Kebel), Nelson, Thomas, Worum—9.

Absent or not voting: Senator Ryan (J. H.)—1.

The resolution, having received the constitutional two-thirds majority, was declared passed.

On motion of Senator Ronald, Senate Joint Resolution No. 20 was ordered immediately transmitted to the House.

Senator Murphy (James A.) moved that Senate Bills Nos. 297 and 299, being the next two bills on the calendar, be made a special order of business for tomorrow at 2:00 o'clock p. m.

The motion by Senator Murphy (James A.) carried.

On motion of Senator Steele, 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 9, 1935.

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. 77: "An Act relating to and providing for Firemen's Relief and Pension Funds in certain incorporated cities and towns of the State, providing for the maintenance and distribution of such funds and designating the beneficiaries thereof, defining the powers and duties of certain officials, and amending Section 1 of Chapter 196 of the Laws of 1919 and Sections 4, 5, 7, 8, 9, 14, 15, 17, 18 and 19 of said chapter as amended."

Yours very truly,

RICHARD HAMILTON,

Secretary to the Governor.

The Secretary read:

#### REPORT OF CONFERENCE COMMITTEE.

MR. PRESIDENT:

OLYMPIA, WASH., March 9, 1935.

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 39, entitled: "An Act providing for the remission of interest upon real and personal property taxes; providing for the payment of delinquent real property taxes in installments; providing for remission of a portion of the principal of delinquent taxes," have had the same under consideration, and report that we are unable to agree and ask for powers of free conference.

Senate Members:

PAUL MEHNER,  
W. R. ORNDORFF,  
W. J. KNUTZEN.

House Members:

HANS JOHNSON,  
JOHN R. JONES,  
HARRY H. BROWN.

On motion of Senator Mehner, the report of the conference committee was adopted and the powers of free conference granted.

On motion of Senator Roland, the further call of the Senate was dispensed with.

At 4:50 o'clock p. m., on motion of Senator Peirce, the Senate adjourned until 2:00 o'clock p. m., tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FIFTY-SIXTH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Sunday, March 10, 1935.

The Senate was called to order at 2:00 o'clock p. m., by President Victor A. Meyers, pursuant to adjournment.

Senator Ryan (Scott M.) offered prayer.

The Secretary called the roll, all members being present except Senators Kyle and Nugent.

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

On motion of Senator Tewksbury, Senator Kyle was excused.

On motion of Senator Murfin, Senator Nugent was excused.

The Secretary read:

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 281, entitled: "An Act relating to education, providing for the consolidation of school districts and amending Sections 1 and 2 of Chapter 52 of the Laws of the Extraordinary Session of 1933, and Section 3, Chapter 75 of the Laws of 1933, and providing that this act shall take effect immediately," have compared same with the original bill and find it correctly engrossed. Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: Paul Mehner, J. W. Thein.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 206, entitled: "An Act relating to elections and to precinct election boards and the appointment thereof; repealing Section 5 of Chapter 61, Laws of 1921, as amended by Section 1 of Chapter 79, Laws of 1933; repealing Section 3 of Chapter 170, Laws of 1921, as amended by Section 3 of Chapter 279 of Laws of 1927 and repealing Section 1 of Chapter 29, Laws of Extraordinary Session, 1933," have compared same with the original bill and find it correctly engrossed. Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: Paul Mehner, J. W. Thein.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 160, entitled: "An Act authorizing issuance and sale of bonds for diking and drainage districts to fund and redeem outstanding warrants of such district; providing for the call of such warrants and cessation of interest thereon; for registration of such bonds; exchange thereof for warrants; the levy of assessments for the payment of principal and interest thereon; determining how the same is chargeable; providing for the collection thereof; the fund into which the same shall be put; the call, payment, and redemption of such bonds," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: Paul Mehner, J. W. Thein.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 350, entitled: "An Act providing for relief from involuntary unemployment, declaring the public policy of the state; providing contributions by employers and employees for an Unemployment Compensation Fund; defining conditions of eligibility for and regulating benefits; establishing a procedure for the settlement of benefit claims and providing for court review thereof; creating an Unemployment Compensation Commission and defining the powers and duties thereof; accepting the provisions of the Wagner-Peyser Act of the United States Government; permitting reciprocal benefit arrangements with the states; providing penalties for the violation of the provisions of this act; making appropriations for the payment of the expenses in the administration thereof, and for the payment of claims out of the special funds established herein and for purposes specified or to be specified in certain Acts of Congress; declaring an emergency and providing that this act shall take effect immediately," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Substitute Senate Bill No. 364, entitled: "An Act relating to flood control, providing a state policy of participation therein with the United States and with flood control districts, counties, and counties acting jointly in the control of rivers subject to flood conditions, through the agency of the state department of conservation and development, granting certain powers in relation thereto to such flood control districts, counties, and counties so acting jointly, creating a debt, authorizing the issuance and sale of state bonds for payment of the principal and interest of said bonds for such object, creating a sinking fund, to be known as 'General Obligation Bonds of 1936 Retirement Fund,' making an appropriation therefor, and submitting this act to the people for their approval or rejection at the general election in November, 1936," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

MR. PRESIDENT:

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

We, your Committee on Judiciary, to whom was referred Senate Bill No. 346, entitled: "An Act validating, ratifying, approving, confirming and declaring valid proceedings heretofore taken for the authorization and issuance of bonds by any city or town for the purpose of financing in whole or in part the construction, reconstruction, replacement, enlargement, extension, repairing or improvement of its waterworks system including all property, real and personal, appurtenant thereto or connected therewith, authorizing the completion of such proceedings and the issuance of bonds pursuant thereto and declaring such bonds binding, legal, valid and enforceable obligations of such city or town, 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.

E. N. STEELE, *Chairman.*

We concur in this report: Fred. S. Duggan, Ed. Peirce, H. I. Kyle, A. M. Murfin, C. F. Stinson, Chas. H. Todd.

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

The Committee on Public Utilities recommended that Senate Bill No. 328 do pass with certain amendments.

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

The Secretary read:

**REPORT OF SELECT COMMITTEE.**

MR. PRESIDENT:

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

Pursuant to Senate Joint Resolution No. 21, a committee composed of Senators Nelson and Lovejoy and Representatives Clark, Skinner and Wiswall of the Legislature of the State of Washington met with Senator Steiwer and Representatives Rankin, Fatland and Munyan of the Legislature of the State of Oregon for the purpose of conferring on such legislation affecting the movement of motor vehicle traffic as might be of mutual interest to said two states. The meeting was held at the Evergreen Hotel in Vancouver, Washington, at 7:00 o'clock p. m., Thursday, March 7, 1935.

Senator Steiwer of Oregon was elected chairman of the meeting. It was decided that the public should be admitted and heard. Oregon's side of the question was presented by Mr. Flannery of the Secretary of State's office, by Mr. Beekey, Safety Engineer for the Oregon State Highway Department and by Mr. Shearer, of the Oregon State Motor Association. Mr. M. L. Dayton represented the taxicab companies of Portland. Those presenting the Washington side of the question were: Austin McCoy, Clyde Perkins, Harry Williams of the Washington Highway Patrol, and Mr. Shelor, Manager of the Automobile Club of Washington.

After the public hearing, it was decided that the members of the committee retire for the purpose of discussing the matter between themselves. At this time, Senator Steiwer, representing the Oregon delegation declared that it was rather late to get any new measure through this session of the Oregon legislature but thought that it might be accomplished by amending the bus and truck measure and another measure concerning licenses. Members of the Washington delegation declared that the Director of Licenses of the State of Washington had full power to make agreements with a representative from Oregon. It was then decided that the Oregon committee return a recommendation that Oregon empower its secretary of state, in charge of automobile licenses, and the public utilities commissioner, in charge of trucks, to negotiate such agreements. Both committees recommended that reciprocal agreements be made in certain cases to ease the license fee rates on motor vehicles operated between the states.

The meeting adjourned at 10:30 p. m.

H. L. NELSON,  
GEO. A. LOVEJOY,  
*Committee.*

On motion of Senator Nelson, the report of the committee was ordered spread on the journal.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 582, and asks the Senate to recede therefrom, and said bill is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

Senator Norman moved that the Senate refuse to recede from its amendments to House Bill No. 582 and ask for a conference thereon.

Senator Miller moved that the Senate recede from its amendments.

The President ruled that the motion by Senator Miller had precedence.

The motion by Senator Miller lost.

The motion by Senator Norman carried.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

The Speaker has signed House Bill No. 89; also House Bill No. 285; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

The Speaker has signed Substitute House Bill No. 46; also Substitute House Bill No. 584; also Senate Bill No. 151; also Senate Bill No. 152; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed House Bill No. 39, and has granted the Committee powers of free conference.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Bills Nos. 89, 285, 46 and 584.

The President stated that the Senate would take up consideration of House Concurrent Resolution No. 16 at this time.

Senator Maxwell moved that consideration of this resolution be re-referred to the Committee on Rules and Joint Rules.

The motion carried.

**SPECIAL ORDER.**

The President stated that, the hour for the special order of business having arrived, the Senate would proceed to consider Senate Bill No. 297.

**Senate Bill No. 297**, by Committee on Rules and Joint Rules (by departmental request), entitled: "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by public bodies of this state for public works projects," was read the third time.

On motion of Senator Mehner, the following amendment was adopted:

Amend the bill, same being page 1 of the printed bill, by adding a new section to read as follows:

*Sec. 4.* All bonds hereafter authorized by a majority vote of the electors of any public body to enable such public body to engage in the operation of an electric light and power utility, or to purchase, acquire, condemn or construct such a utility, are hereby validated, ratified, approved and confirmed notwithstanding any defects or irregularities (other than constitutional) in such proceedings.

On motion of Senator Mehner, the following amendment was adopted:

Amend the title, line 2, page 1, of the printed bill as follows:

Add after the word "issued" the words "or authorized"; also add after the word "works" the words, ", or public utility" so that the title when amended will read as follows:

An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued or authorized by public bodies of this state for public works, or public utility, projects.

The Secretary called the roll on the final passage of Senate Bill No. 297, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—40.

Absent or not voting: Senators Knutzen, Kyle, Nugent, Ronald, Smith, 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. 299:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 299, entitled: "An Act simplifying the procedure for the construction and financing of public works projects by municipalities, enabling municipalities to make and perform contracts with federal agencies relating to the construction and financing of such projects and conferring additional powers upon municipalities; 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 5, being line 1 of page 5 of the original bill, the same being line 30 of page 3 of the printed bill, by inserting between the words "invalid," and "shall" the following words: "the remainder of this act, or the application of such provision to persons, bodies, or circumstances other than those as to which it is held invalid."

E. N. STEELE, *Chairman.*

We concur in this report: Judson W. Shorett, A. M. Murfin, H. I. Kyle, Fred S. Duggan, John F. Worum, Ralph Metcalf.

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

On motion of Senator Steele, the committee amendment was adopted.

The Secretary called the roll on the final passage of Senate Bill No. 299, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumbheller, Farquharson, Ferryman, Gannon, Kerstetter, Knutzen, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Duggan, Keller, Kyle, Nugent—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.

#### SPECIAL ORDER.

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Substitute Senate Bill No. 90.

Senator Maxwell moved that Substitute Senate Bill No. 90 be made a special order of business for tomorrow at 10:30 o'clock a. m.

The motion carried.

#### GENERAL FILE.

##### Senate Bill No. 318:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred Senate Bill No. 318, entitled: "An Act relating to the administration of the government of the state providing for the appointment of three members to constitute the Department of Public Service, and prescribing their powers and duties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be re-referred to the Judiciary Committee.

....., *Chairman.*

We concur in this report: Paul G. Thomas, P. Frank Morrow, S. C. Roland, J. H. Ryan.

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Public Utilities, to whom was referred Senate Bill No. 318, entitled: "An Act relating to the administration of the government of the state providing for the appointment of three members to constitute the Department of Public Service, and prescribing their powers and duties," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not be re-referred to the Judiciary Committee.

ED. PEIRCE, *Chairman.*

We concur in this report: D. E. McMillan, Geo. F. McAulay, Ralph Metcalf.

On motion of Senator Peirce, the reports of the committee were received and the bill was read the third time.

On motion of Senator Peirce, the following amendment was adopted:

Amend Section No. 1, line 3 of the printed bill, following the word "Governor" strike the words "with the" and insert in lieu thereof the words "by and with the advice and."

Senator Peirce moved the adoption of the following amendment:

Amend Section No. 1, line 6 of the printed bill, strike the period following the word "service", insert in lieu thereof a comma and add the following: "and each shall receive a salary not exceeding \$5000.00 per annum."

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller lost.

The motion by Senator Peirce carried.

The Secretary called the roll on the final passage of Senate Bill No. 318, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Dailey, Duggan, Garrett, Knutzen, Maxwell, McMillan, Miller, Murfin, Reardon, Ryan (J. H.), Tewksbury—11.

Those voting nay were: Senators Bengtson, Brunton, Dawson, Farquharson, Ferryman, Gannon, Kerstetter, Lovejoy, Malstrom, McAulay, Mehner, Metcalf, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Stinson, Thein, Thomas, Todd, Worum—29.

Absent or not voting: Senators Barnes, Drumbheller, Keller, Kyle, Nugent, Steele—6.

The bill, having failed to receive the constitutional majority, was declared lost.

#### Senate Bill No. 217:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 5, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Senate Bill No. 217, entitled: "An Act providing a special proceeding for the recovery of possession of real property wrongfully detained," 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 Bill No. 217 by striking therefrom all of Section 1 and by adding in lieu thereof a new section to be numbered Section 1 and to read as follows: "SECTION 1. This act is passed supplemental to existing laws and shall apply only to cases of forcible entry, forcible detainer, and unlawful detainer as defined by law, and to cases of default in the payment of rent under occupancies of real property where the rental does not exceed fifty (\$50.00) dollars per month." E. N. STEELE, *Chairman*.

We concur in this report: A. M. Murfin, E. L. Brunton, C. F. Stinson, Judson W. Shorett, Chas. H. Todd, Ralph Metcalf, Geo. F. McAulay, Fred S. Duggan.

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

On motion of Senator Steele, the committee amendment was adopted.

Senators Murphy (Kebel), Peirce and Farquharson 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 Kerstetter, the Senate proceeded under the call of the Senate.

Senator Miller moved that Senate Bill No. 217 be indefinitely postponed.

Senators Maxwell, Miller, Thomas, Murphy (James A.), Shorett, Ryan (J. H.), Farquharson and Kerstetter demanded a roll call on the motion by Senator Miller.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Miller and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (Scott M.), Tewksbury, Thomas—18.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Stinson, Thein, Todd, Worum—27.

Absent or not voting: Senator Steele—1.

The Secretary called the roll on the final passage of Senate Bill No. 217, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Metcalf, Miller, Morrow, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Shorett, Smith, Stinson, Thein, Worum—25.

Those voting nay were: Senators Dailey, Drumheller, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Mehner, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas, Todd—20.

Absent or not voting: Senator Steele—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 Miller gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 217 passed the Senate.

**Senate Bill No. 276**, by Senator Shorett, entitled: "An Act amending Section 4546 of Remington's Compiled Statutes providing for the establishment of special tuition fees in professional schools of the University of Washington," was read the third time.

Senator Reardon moved the adoption of the following amendment:

Amend Section No. 1, strike period at end of section, insert a semicolon and add the following: "Provided that such fees as may be fixed under sub-division D may not exceed in the aggregate the sum of \$15.00."

The motion lost.

Senator Morrow moved the adoption of the following amendment:

Amend Section No. 1, Sub-section (b), after the word "include" strike the underscored portion of Sub-section (b).

The motion by Senator Morrow lost.

The Secretary called the roll on the final passage of Senate Bill No. 276, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—40.

Those voting nay were: Senators Bengtson, Brunton, Miller, Morrow—4.  
Absent or not voting: Senators Maxwell, Steele—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. 277**, by Senator Shorett, entitled: "An Act authorizing the Board of Regents of the University of Washington, the Board of Regents of the State College of Washington, and the Boards of Trustees of the State Normal Schools, to assist the faculties and other employees of these institutions in purchasing old age annuities," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 277, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Dawson, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd—34.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Drumheller, Duggan, Mehner, Morrow, Norman, Orndorff, Worum—10.

Absent or not voting: Senators Maxwell, Steele—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 Reardon gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 277 passed the Senate.

**Senate Bill No. 162**, by Senator Nelson, entitled: "An Act relating to the issuance and the sale of school bonds and amending Section 4943 of Remington's Revised Statutes," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 162, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Metcalf, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—38.

Those voting nay were: Senators McAulay, Mehner, Miller, Murfin, Reardon, Roland—6.

Absent or not voting: Senators Maxwell, Steele—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. 310**, by Senator Tewksbury, entitled: "An Act relating to water and water power districts and amending Section 11588 Remington's Revised Statutes," 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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—43.

Absent or not voting: Senators Maxwell, Nugent, Steele—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. 255:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on State Granted, School and Tide Lands, to whom was referred Senate Bill No. 255, entitled: "An Act relating to state lands and areas belonging to or held in trust by the state, providing for and regulating the granting of permits, leases and certain preference right to take petroleum and natural gas, defining the powers and duties of certain officers in connection therewith and repealing Sections 175 to 185, both inclusive, of Chapter 255, 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 19, page 1 of the original bill, being Section 1, line 10, page 1 of the printed bill, by striking the word "lease" after the word "prospect" and before the word "for" and inserting in lieu thereof the word "lessee."

Amend Section 1, line 19, page 1 of the original bill, being Section 1, line 10, page 1 of the printed bill, by striking after the word "no" and before the word "to" the words "such permit" and insert in lieu thereof the word "permittee."

Amend Section 1, line 23, page 1 of the original bill, same being Section 1, line 13, page 1 of the printed bill, by inserting after the word "been" and before the word "made" the following words, "ascertained and."

Amend Section 1, line 13, page 1 of the printed bill, by striking period (.) at the end thereof, and inserting a (;) and adding the following proviso:

*"And provided further,* That in any area where the state owns more, or has reserved minerals on more than four contiguous sections of land, no permit or lease shall be granted herein except upon every other or alternate quarter section, to be selected by the commissioner."

Amend Section 2, lines 27 and 28 of page 1 of the original bill, the same being Section 2, line 15, page 1 of the printed bill, by striking after the word "fee" and before the word "for" the following words "of one hundred and twenty-five dollars (\$125.00)" and inserting in lieu thereof the following words "twenty cents (20c) per acre but in no case less than ten (\$10.00) dollars."

Amend Section 4, line 25, page 3 of the original bill, being Section 4, line 32, page 2 of the printed bill, by striking after the word "of" and before the word "twelve" the following words "not less than."

Amend Section 4, line 26, page 3 of the original bill, being Section 4, line 33, page 2 of the printed bill, after the word "production" strike the comma (,) and the remainder of the section, and insert in lieu thereof a period (.) and the following sentences: "The term 'amount' or 'value' shall be construed to mean the value of the petroleum or natural gas at the well when produced without the deduction of expenses for production. The lessee shall have the use, without payment of royalty, of so much of the oil, water or gas produced on said lease as may be required in the operation of the property."

Amend Section 10, line 22, page 6 of the original bill, same being line 8, page 4 of the printed bill, by striking the period (.) at the end thereof, and inserting a semi-colon (;) and adding the following proviso:

*"Provided, That under no circumstances shall the state lease more than every alternate, or cornering quarter section of land to any permittee, lessee, operator or any person, firm, association, unit development, or corporation; the purpose of this proviso being to prevent ownership on any oil structure of other than cornering quarter sections unless such ownership is vested in the State of Washington."*

J. W. THEIN, *Chairman.*

We concur in this report: J. D. Bengtson, James Dailey, Paul Mehner, Edmund J. Miller.

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

On motion of Senator Thein, the committee amendments were adopted.

On motion of Senator Kyle, the following amendment was adopted:

Amend Section 2, line 1, page 2 of the printed bill; strike the word "farther" and insert in lieu thereof the word "further."

On motion of Senator Drumheller, the following amendment was adopted:

Amend Section 3, page 2, line 23 of the printed bill, by striking "twenty years (20)" and inserting in lieu thereof "five years (5)."

On motion of Senator Drumheller, the following amendment was adopted:

Amend Section 7, page 3, line 10 of the printed bill; strike "twenty years (20)" and add in lieu thereof "five years (5)."

Senator McAulay moved the adoption of the following amendment:

Amend Section 7 as follows: Strike the period at the end of the section and insert a semi-colon and add: "*Provided further, That the State of Washington hereby recognizes and declares the fact to be that no part of the Yakima River is a navigable stream and the State of Washington hereby waives and relinquishes any and all claims to the bed of said Yakima River and every part thereof.*"

Senator Murphy (James A.) moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Murphy (James A.) carried.

The Secretary called the roll on the final passage of Senate Bill No. 255, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—43.

Absent or not voting: Senators Farquharson, Maxwell, Nugent—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 Miller, further call of the Senate was dispensed with.

At 5:25 o'clock p. m., on motion of Senator Miller, the Senate recessed until 7:30 o'clock p. m.

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### EVENING SESSION.

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The Senate reconvened at 7:30 o'clock p. m., President Meyers in the Chair.

The Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 297, entitled: "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued or authorized by public bodies of this state for public works or public utility projects," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 299, entitled: "An Act simplifying the procedure for the construction and financing of public works projects by municipalities, enabling municipalities to make and perform contracts with Federal agencies relating to the construction and financing of such projects and conferring additional powers upon municipalities; and declaring an emergency," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

We, your Committee on Rules and Joint Rules, to whom was referred Senate Bill No. 228, entitled: "An Act fixing the salaries of certain state officers; repealing laws in conflict herewith; 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. 228 be substituted therefor, and that it do pass.

VICTOR A. MEYERS, *Chairman.*

We concur in this report: Joseph Drumheller, Geo. A. Lovejoy, Kathryn E. Malstrom, Walter G. Ronald, E. N. Steele, Edmund J. Miller, Ed. Peirce, Keiron Reardon, Horace E. Smith.

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

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference committee on Engrossed House Bill No. 582 and the Speaker has appointed Representatives Wanamaker, Drew and Holt as members thereon.

S. R. HOLCOMB, *Chief Clerk.*

#### GENERAL FILE.

**Senate Bill No. 319**, by Senators Brunton, Ryan (Scott M.), Gannon, Nelson, Shorett, Garrett, and Orndorff, entitled: "An Act relating to the payment of retained pay for enlisted men of the National Guard and making an appropriation therefor."

On motion of Senator Gannon, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 319.

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 was adopted.

Senator Gannon 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. 319, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Todd—35.

Those voting nay were: Senators Farquharson, Murphy (Kebel), Nelson, Ryan (J. H.), Thein, Thomas, Worum—7.

Absent or not voting: Senators Drumheller, Maxwell, McAulay, 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.

**Senate Bill No. 165:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Insurance, to whom was referred Senate Bill No. 165, entitled: "An Act relating to surety bonds and undertakings required by law, providing for release from liability of the surety thereon and repealing the act of the Legislature approved March 14, 1890, Laws of 1889-90, pp. 43, 44 and 45 (Sections 9942, 9943, 9944, 9945 and 9946, Remington's Compiled Statutes)," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass. C. NIFTY GARRETT, *Chairman*.

We concur in this report: Geo. A. Lovejoy, W. R. Orndorff, Judson W. Shorett, E. L. Brunton, C. F. Stinson.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Insurance, to whom was referred Senate Bill No. 165, entitled: "An Act relating to surety bonds and undertakings required by law, providing for release from liability of the surety thereon and repealing the act of the Legislature approved March 14, 1890, Laws of 1889-90, pp. 43, 44 and 45 (Sections 9942, 9943, 9944, 9945 and 9946, Remington's Compiled Statutes)," 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*.

I concur in this report: Paul G. Thomas.

On motion of Senator Garrett, the reports of the committee were received and the bill was read the third time.

Senator Thomas moved the adoption of the following amendment:

Amend Section No. 2, page 2, after the period add the following: "When bond is cancelled by the company, they shall return the whole premium."

The motion by Senator Thomas lost.

The Secretary called the roll on the final passage of Senate Bill No. 165, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Lovejoy, Metcalf, Miller, Murphy (James A.), Nelson, Norman—6.

Those voting nay were: Senators Barnes, Brunton, Dawson, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Morrow, Murfin, Murphy (Kebel), Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—34.

Absent or not voting: Senators Bengtson, Dailey, Drumheller, Ferryman, Nugent, Ryan (Scott M.)—6.

The bill, having failed to receive the constitutional majority, was declared lost.

**Senate Bill No. 31:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**SENATE CHAMBER,  
OLYMPIA, WASH., February 22, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred Senate Bill No. 31, entitled: "An Act relating to elections, fixing the date of primary, pro-

viding for filing of candidacy and for the holding of party conventions, prescribing the time and manner of holding same, powers and duties of the membership of such conventions; providing for the election of precinct committeemen, state committeemen and nominees for United States Senators, Representatives in Congress, members of the State Legislature and state and county officials, providing for the organization of county and state central committees and election of county and state chairmen, defining powers and duties of such committees, prescribing method for filling vacancies in the committee and on the list of nominees, the construction and application of the act, and repealing all portions of the law in conflict," 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, page 1, line 16, of the original bill, same being page 1, line 4, of the printed bill, by striking the figures "1934" after the word "year," and inserting in lieu thereof, the figures "1936."

Amend Section 7, page 7, line 24, of the original bill, same being page 4, line 39, of the printed bill, by striking the word "first" and inserting in lieu thereof the word "second."

Amend Section 7, page 8, line 2, of the original bill, same being page 5, line 2, of the printed bill, by striking the word "second" and inserting in lieu thereof the word "third."

Amend page 13 of the original bill, same being page 7 of the printed bill, by adding after Section 21 a new section to be known as Section 22 and which shall read as follows:

"SEC. 22. That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1936, this act shall be submitted to the qualified electors of the state for their approval and ratification, or rejection."

H. I. KYLE, *Chairman.*

We concur in this report: K. W. Reardon, J. A. Murphy, H. L. Nelson, Earl Maxwell, Fred S. Duggan, J. P. Keller, P. Frank Morrow.

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

Senator Ryan (Scott M.), moved that Senate Bill No. 31 be indefinitely postponed.

Senators Miller, Reardon, Drumheller, Murphy (Kebel), Maxwell, Keller, Todd and Duggan demanded a roll call on the motion by Senator Ryan (Scott M.).

A roll call was ordered.

The Secretary called the roll on the motion by Senator Ryan (Scott M.), and the motion lost by the following vote:

Those voting aye were: Senators Farquharson, Kerstetter, Kyle, Malstrom, Morrow, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—9.

Those voting nay were: Senators Barnes, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Peirce, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—33.

Absent or not voting: Senators Bengtson, Dailey, Nelson, Nugent—4.

On motion of Senator Kyle, the committee amendments were adopted.

On motion of Senator Murfin, the following amendment was adopted:

Amend Sec. 3, line 27, page 3 of the printed bill; strike the words "or a justice of peace, or constable for incorporated cities or towns."

Senator Thomas moved the adoption of the following amendment:

Amend Section No. 11, page 5, strike Section 11.

Senator Malstrom moved that the amendment be laid on the table.

Senators Miller, Maxwell, Duggan, Kyle, Reardon, McAulay, Gannon and Todd demanded a roll call on the motion by Senator Malstrom.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Malstrom and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Gannon, Kerstetter, Kyle, Malstrom, Morrow, Murphy (Kebel), Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—12.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Peirce, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—32.

Absent or not voting: Senators Ferryman, Nugent—2.

Senator Drumheller moved that the amendment be laid on the table without taking the bill with it.

The motion carried.

Senator Murfin moved the adoption of the following amendment:

Amend Sec. 18, line 42, page 6 of the printed bill; after the word "certificate" insert the words "of any candidate for said office."

Senator Kyle moved that the amendment be laid on the table.

The motion by Senator Kyle lost.

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller lost.

The motion by Senator Murfin carried.

On motion of Senator Murfin, the following amendment was adopted:

Amend Sec. 18, line 42, page 6 of the printed bill; after the word "any" and before the word "certificate" insert "other."

The Secretary called the roll on the final passage of Senate Bill No. 31, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Knutzen, Maxwell, McAulay, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Norman, Orndorff, Peirce, Smith—19.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Kyle, Malstrom, McMillan, Morrow, Murphy (Kebel), Nugent, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—25.

Absent or not voting: Senators Lovejoy, Nelson—2.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Miller gave notice that at the proper time he would move to reconsider the vote by which Senate Bill No. 31 failed to pass the Senate.

On motion of Senator Ferryman, the Senate referred back to the second order of business for the purpose of receiving a committee report.

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

We, your Committee on Reclamation and Irrigation, to whom was referred House Bill No. 372, entitled: "An Act authorizing and directing the commissioner of public lands to grant to the Wenatchee Reclamation District the right to overflow certain shore lands for reservoir purposes," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. J. KNUTZEN, *Chairman.*

We concur in this report: John H. Ferryman, Horace E. Smith, C. F. Stinson, Geo. F. McAulay, John F. Worum, W. G. Ronald.

On motion of Senator Knutzen the report of the committee was received and the bill was placed on general file.

The Secretary read:

**REPORT OF FREE CONFERENCE COMMITTEE.**

OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed House Bill No. 39, entitled: "An Act relating to the collection of taxes; providing for the remission of interest upon real and personal property taxes; providing for the payment of delinquent real property taxes in installments; and declaring that this act is to take effect immediately," have had the same under consideration, and we recommend that the House concur in the Senate amendments and that the bill be further amended as follows:

Amend Sec. 3 by striking the whole section and inserting in lieu thereof the following:

"SEC. 3. At any time on or before the thirtieth day of November, 1935, the county treasurer of any county in the state is also authorized and directed to accept from any person or corporation owning one or more parcels of real property in the state or holding a contract for the purchase thereof, or from a mortgagee or other lien holder, upon which one or more payments or installments of real property taxes for 1933 and/or prior years are delinquent, a signed agreement to pay, first, before delinquency, the amount of the current taxes upon such property payable in the year 1935 and each year thereafter, and secondly, to pay in twenty semi-annual installments the total delinquent taxes upon such property for the year 1933 and/or prior years, together with interest at the rate of 6 per cent per annum from May 31, 1933, to May 31, 1935, upon the original amount of the delinquent taxes for the year 1932 and prior years, and at the rate of 6 per cent per annum from May 31, 1934, to May 31, 1935, upon the original amount of the delinquent tax for the year 1933, suspending all other penalties and interest upon all of said delinquent taxes to the said May 31, 1935, such interest to be added to the said original tax and the total thereof shall become the principal of said contract. The said principal shall be paid in equal semi-annual installments beginning on the 30th day of November, 1935, and continuing on the 30th day of each May and November thereafter, together with interest on deferred balances thereof at the rate of 6 per cent per annum from May 31, 1935, the said interest also payable semi-annually on the days aforesaid and in addition to the payments on the said principal. Each payment on the principal under such agreement shall be applied first to the payment of the interest added to the principal of said original tax, and the balance to the tax longest delinquent. All interest collected under such agreement, including the interest added to the said original tax, shall be paid into the county current expense fund. Such agreement shall provide that any unpaid balance thereunder, at the election of such person or corporation, may be paid in full at any time, with interest thereon up to and including the day of payment. It shall further provide that in the event two successive payments of delinquent taxes are not paid on or before the date when due and/or in the event that any installment of taxes payable

in the year 1935, or any year thereafter is not paid within twelve months after the same shall become delinquent the agreement shall become void and of no effect whatsoever. Upon the agreement becoming void the unpaid portion of the original tax and interest thereon shall be restored, and the county shall institute tax foreclosure proceedings as provided by law if or when the aggregate unpaid taxes are delinquent for five years: *Provided*, The tax shall remain a first lien on the real estate until the agreement is fully paid and satisfied."

*Senate Members:*

PAUL MEHNER,  
W. R. ORNDORFF,  
W. J. KNUTZEN.

*House Members:*

HANS JOHNSON,  
JOHN R. JONES,  
HARRY H. BROWN.

On motion of Senator Mehner, the report of the free conference committee on Engrossed House Bill No. 39 was adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 39, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—41.

Those voting nay were: Senators McAulay, Miller, Thomas—3.

Absent or not voting: Senators Maxwell, Metcalf—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 as members of the free conference committee on the Senate amendments to Engrossed House Bill No. 582, Senators Reardon, Dailey and Morrow.

On motion of Senator Reardon, the Senate next considered Senate Joint Resolution No. 19 on the calendar.

**Senate Joint Resolution No. 19:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

**MR. PRESIDENT:**

We, your Committee on Agriculture, to whom was referred Senate Joint Resolution No. 19, entitled: "Relating to flax industry and manufacture of linen," 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:

At the beginning of the resolution insert the following words: "*Be It Resolved*, by the Senate and House of Representatives of the State of Washington in legislative session assembled; That,".

DAVID E. McMILLAN, *Chairman*.

We concur in this report: Ed. Peirce, Kebel Murphy, J. D. Bengtson, Joseph Drumheller, W. J. Knutzen, E. L. Brunton.

On motion of Senator McMillan, the report of the committee was received and the resolution was read the third time.

On motion of Senator McMillan, the committee amendment was adopted.

On motion of Senator Reardon, the following amendment was adopted:

Amend line 23 of original Resolution; capitalize initial letters in "Pacific" and "Northwest."

The Secretary called the roll on the final passage of Senate Joint Resolution No. 19, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—40.

Those voting nay were: Senator Murphy (Kebel)—1.

Absent or not voting: Senators Barnes, Maxwell, McAulay, McMillan, Metcalf—5.

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

On motion of Senator Smith, Senator Metcalf was excused.

On motion of Senator Kyle, Senator Lovejoy was excused.

On motion of Senator Stinson, Senator Barnes was excused.

On motion of Senator Murphy (James A.), Senator McMillan was excused.

On motion of Senator Duggan, Senator Brunton was excused.

**Substitute Senate Bill No. 228:**

Senator Reardon moved that Substitute Senate Bill No. 228 be made a special order of business for tomorrow at 7:30 o'clock p. m.

The motion by Senator Reardon carried.

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

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

HARRISON W. MASON, *Secretary of the Senate.*

## FIFTY-SEVENTH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Monday, March 11, 1935.

The Senate was called to order at 10:00 o'clock a. m., by President Victor A. Meyers, pursuant to adjournment.

Reverend Walter C. Comin of the First Presbyterian Church offered prayer.

The Secretary called the roll, all members being present except Senator Lovejoy.

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

Senator Murfin gave notice that on the next legislative day he would move to amend Senate Rule 20.

Senator Miller moved to reconsider the vote by which Senate Bill No. 217 passed the Senate.

Senators Dailey, Orndorff, Thomas, Miller, Murphy (James A.), Maxwell, Farquharson and Kerstetter demanded a roll call on the motion by Senator Miller.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Miller, and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Farquharson, Gannon, Kerstetter, Kyle, Maxwell, McAulay, McMillan, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Roland, Ryan (Scott M.), Tewksbury, Thomas—17.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Ferryman, Garrett, Keller, Mehner, Metcalf, Morrow, Murfin, Norman, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd, Worum—23.

Absent or not voting: Senators Knutzen, Lovejoy, Malstrom, Nugent, Peirce, Ryan (J. H.)—6.

On motion of Senator Orndorff, Senate Bill No. 217 was ordered immediately transmitted to the House.

The Secretary read:

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Joint Resolution No. 19: "Relating to flax industry and manufacture of linen," have compared same with the original Senate Joint Resolution and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 255, entitled: "An Act relating to state lands and areas belonging to or held in trust by the state, providing for and regulating the granting of permits, leases and certain preference right to take petroleum and natural gas, defining the powers and duties of certain officers in connection therewith and repealing Sections 175 to 185 both inclusive, of Chapter 255, Laws of 1927.", have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Substitute House Bill No. 233, entitled: "An Act relating to the maintenance and control of county and secondary highways in counties of the first class," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

W. G. RONALD, *Chairman.*

We concur in this report: Geo. H. Gannon, Earl Maxwell, J. D. Bengtson, J. W. Thein, Geo. F. McAulay, John F. Worum

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

The Committee on Roads and Bridges recommended that Senate Bill No. 340 do pass with certain amendments.

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

The Committee on Roads and Bridges recommended that Senate Bill No. 334 do pass with certain amendments.

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

A part of the Committee on Revenue and Taxation recommended that Senate Bill No. 345 do pass.

A part of the Committee on Revenue and Taxation recommended that Senate Bill No. 345 do not pass.

A part of the Committee on Revenue and Taxation reported back Senate Bill No. 345 without recommendation.

The reports of the committee, together with the bill, were placed on general file.

The Secretary read the report of the sub-committee investigating the Department of Public Works.

On motion of Senator Thomas, mimeographed copies of the report were ordered placed on the desks of the Senators.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

The House has passed House Bill No. 282; also  
House Bill No. 497; also  
House Bill No. 674; also  
House Bill No. 690; also  
House Bill No. 198; also  
House Bill No. 230; also  
House Bill No. 275; also  
House Bill No. 291; also  
House Bill No. 385; also  
House Bill No. 580; also  
House Bill No. 585; also  
House Bill No. 689; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**INTRODUCTION OF BILLS.**

**House Bill No. 198**, by Representatives Haddon and Halleran, entitled: "An Act authorizing and directing the Washington State Highway Department and the Department of Public Works to make a survey and valuation of the toll bridge across Sinclair's Inlet from Bremerton to East Bremerton and providing for the purchase of said toll bridge by the State of Washington."

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

**Substitute House Bill No. 230**, by Committee on Game and Game Fish, entitled: "An Act enlarging the powers of the director of game fish and all game protectors, to allow them to arrest trespassers."

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. 275**, by Representatives Mackie, Twidwell and Skinner, entitled: "An Act relating to local improvements and bonds issued therefor and amending Section 4 of Chapter 141 of the 1923 Session Laws of Washington as amended by Section 4 of Chapter 209 of the 1927 Session Laws of Washington, Section 9351-4 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 Roland 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. 291**, by Representative Yantis (by departmental request), entitled: "An Act relating to the taxation of forest land and the forest crops growing thereon and providing for the deferment of taxes on such crops, defining the powers and duties of certain state and local officers in connection therewith, prescribing penalties, and declaring that the act shall take effect immediately."

The bill was read the first time, and on motion of Senator Mehner 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. 385**, by Representative Bice, entitled: "An Act to provide a limitation for the bringing of actions growing out of injuries resulting to persons from malpractice on the part of physicians and surgeons and other persons licensed to practice healing arts in the State of Washington and amending Section 160, Remington's Compiled Statutes of the State of Washington."

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

**House Bill No. 580**, by Representative Ford, entitled: "An Act establishing a State Hospitalization Board and defining its powers and duties and providing for the construction, maintenance and operation of certain experimental hospitals, clinics, and out-stations, providing for creation of hospital districts, appropriating ten thousand dollars (\$10,000) and declaring an emergency."

The bill was read the first time, and on motion of Senator Nugent 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. 585**, by Representative Neff (by departmental request), entitled: "An Act prescribing the duty of the Commissioner of Public Lands with regard to the reimbursement of the United States Government for emergency conservation work in cases where the state realizes a profit from such work."

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 on Appropriations.

**House Bill No. 689**, by Representatives Skinner, Mackie and Twidwell, entitled: "An Act authorizing acquisition by the State of Washington of all interest, share, right and title of the cities of Aberdeen, Hoquiam, and Grays Harbor County in and to certain bridges located on State Highways, namely: The Wishkah River Bridge in the City of Aberdeen, crossing the Wishkah River on State Road No. 9; the Chehalis River Bridge in the City of Aberdeen, crossing the Chehalis River on State Road No. 13; the Simpson Avenue Bridge in the City of Hoquiam, crossing the Hoquiam River on State Road No. 9; the Little Hoquiam River Bridge in the City of Hoquiam, crossing the Little Hoquiam River on State Road No. 9; providing methods for acquisition thereof and payment therefor, and providing for the operation and control of said bridges by the State of Washington, and declaring that this act shall take effect immediately."

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

#### SPECIAL ORDER.

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Substitute Senate Bill No. 55.

On motion of Senator Ronald, Substitute Senate Bill No. 55 was re-referred to the Committee on Rules and Joint Rules.

**SPECIAL ORDER.**

The President stated that the Senate would proceed to consider Substitute Senate Bill No. 90, also a special order of business for this hour.

**Substitute Senate Bill No. 90**, by Committee on Flood Control, entitled: "An Act relating to floods, the alleviation of damage therefrom, and the regulatory control thereof, placing the administration of this act under the state supervisor of hydraulics, prescribing his authority and duties thereunder, making an appropriation therefor, and declaring that this act shall take effect immediately."

On motion of Senator Maxwell, the Senate resolved itself into a committee of the whole to consider Substitute Senate Bill No. 90.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Maxwell, the following amendments made in the committee of the whole were adopted:

Amend Sec. 6 by striking the period (.) at the end of the section in line 19, page 2 of the original bill, same being page 2, line 7 of the printed bill; insert a comma (,) in lieu thereof and add the following: "except as to structures or works erected by any flood control district."

Amend Sec. 10, line 26, page 2 of the printed bill; after the word "act" strike the period (.), insert in lieu thereof a comma (,) and add the following:

*"Provided, however,* That whenever, in cases of emergency, flood waters shall threaten to or shall endanger lives or damage property, or it shall be necessary to repair, reconstruct, or restore property damaged by such flood waters, in order that such property may be used immediately for the purpose or purposes theretofore used, no permit shall be required."

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 Substitute Senate Bill No. 90, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Roland, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—36.

Absent or not voting: Senators Dailey, Knutzen, Lovejoy, Morrow, Nugent, Peirce, Reardon, Ronald, Shorett, Worum—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.

**GENERAL FILE.**

On motion of Senator Garrett, the Senate considered Senate Bill No. 362 as the next bill on the calendar.

**Senate Bill No. 362**, by Senators Barnes, Knutzen, Tewksbury, Garrett and Maxwell, entitled: "An Act relating to flood control and providing for the improvement of rivers by counties," was read the third time.

On motion of Senator Kyle, the following amendment was adopted:

Amend Section 1, line 8 of the original bill by changing "Sec." to "section."

On motion of Senator Kyle, the following amendment to the title was adopted:

After the word "counties" add the following: "and amending Section 9626 of Remington's Revised Statutes."

The Secretary called the roll on the final passage of Senate Bill No. 362, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—34.

Absent or not voting: Senators Dailey, Keller, Knutzen, Lovejoy, McAulay, Morrow, Nelson, Nugent, Peirce, Reardon, Shorett, Worum—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. 363**, by Senators Barnes, Knutzen, Tewksbury, Garrett and Maxwell, entitled: "An Act relating to flood control, providing for a state policy therefor in cooperation with the United States and flood control districts in this state, granting certain powers to counties, cities, towns, diking, drainage and waterway districts in relation thereto, making an appropriation therefor and declaring that this act shall take effect immediately."

On motion of Senator Maxwell, the Senate resolved into a committee of the whole to consider Senate Bill No. 363.

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 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. 363, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Steele, Tewksbury, Thein, Thomas, Worum—36.

Absent or not voting: Senators Dailey, Lovejoy, Morrow, Nugent, Peirce, Reardon, Shorett, Smith, Stinson, 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.

**Engrossed Substitute House Bill No. 483:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Roads and Bridges, to whom was referred Engrossed Substitute House Bill No. 483, entitled: "An Act relating to transportation of freight by motor vehicles over the public highways of the State of Washington, providing for the supervision, regulation and taxation thereof, and the payment of fees thereby, providing penalties for the violation of this act, and repealing Chapter 55, Laws Extraordinary Session 1933, Chapter 166, Laws of 1933, laws or parts of laws thereof in Chapter 96 and Chapter 111, Laws of 1921 and other laws inconsistent with or in conflict with this 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 with the following amendments:

Amend by striking everything after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The business of operating as a motor carrier of freight for hire along the highways of this state is declared to be a business affected with a public interest. The rapid increase of motor carrier freight traffic and the fact that under the existing law many motor trucks are not effectively regulated have increased the dangers and hazards on public highways and make it imperative that regulation should be employed to the end that the highways may be rendered safe for the use of the general public; that the shippers of the state may be provided with a stabilized service and rate structure; that the use of the highways for the transportation of property may be regulated to the extent required by the convenience of the general public.

SEC. 2. When used in this act:

(a) The term "person" means and includes an individual, firm, copartnership, 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, traller, 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 carriers by rail or water and of express or forwarding companies.

(f) The term "contract carrier" means any person, not included under paragraph "e" of this section, who under special and individual contracts or agreements transports property by motor vehicle for compensation.

(g) The term "special carrier" means any person engaged exclusively in the transportation of logs, piling, poles, pulpwood, minerals, sand, gravel, rock and other building materials in vehicles especially constructed and equipped for handling such commodities and operating for compensation.

(h) The term "private carrier" means any person engaged in the transportation in his own vehicle of property owned, sold or to be sold by him in the furtherance of any private commercial enterprise or for the purpose of lease, rent or bailment.

(i) The term "motor carrier" means and includes "common carrier," "contract carrier," "special carrier," "private carrier" and "exempt carrier" as herein defined.

(j) The term "exempt carrier" means any person operating a vehicle exempted from certain provisions of this act under Section 3 hereof.

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.

SEC. 3. The provisions of this act, except where specifically otherwise provided, shall not apply to:

(a) Motor vehicles operated exclusively within the incorporated limits of any city or town.

(b) Motor vehicles operated exclusively in the transportation of United States mail or in the transportation of newspapers or periodicals.

(c) Motor vehicles owned and operated by the United States, the State of Washington, or any county, city, town or municipality therein, or by any department of them, or either of them.

(d) Vehicles specially constructed for towing or wrecking and not otherwise used in transporting goods for compensation; or vehicles known as armored cars and used for the safe conveyance of money or other valuables.

(e) Motor vehicles owned and operated by farmers in the transportation of their own farm, orchard or dairy products from point of production to market, or in the infrequent or reasonable transportation by one farmer for another in his immediate neighborhood of products of the farm, orchard or dairy, or of supplies or commodities to be used on the farm, orchard or dairy.

(f) Motor vehicles operating under special contract or agreement with the federal or state relief administrations or welfare departments.

(g) Motor vehicles operated exclusively in the transportation of wood, coal or other fuel or Christmas trees from point of production to market or assembling place.

If it is held that it is necessary that any of the persons or vehicles aforesaid be included under any of the provisions of this act to sustain the validity or constitutionality thereof they shall be deemed so included.

SEC. 4. It shall be unlawful for any person to operate as a "motor carrier" on any public highway of this state except in accordance with the provisions of this act.

SEC. 5. No "common carrier," "contract carrier" or "special carrier" shall hereafter operate for the transportation of property for compensation in this state without first obtaining from the department a permit so to do under the provisions of this act. A permit shall be issued to any qualified applicant therefor without hearing, or after hearing, if the department deems such hearing necessary in the public interest, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing and able to perform the service proposed and to conform to the provisions of this act and the requirements, rules and regulations of the department hereunder, and that the proposed service to the extent authorized will not be contrary to the declared policy of this act.

No permit shall be granted if the department finds that the applicant is not financially able, properly and adequately equipped and capable of conducting the transportation service applied for in compliance with the law and rules and regulations of the department, or if the applicant or any of its principal officers or stockholders fails to comply with the laws of the State of Washington or with the laws of the United States regulating motor transportation.

Nothing contained in this act shall be construed to confer upon any person the exclusive right or privilege of transporting property for compensation over the public highways of the State of Washington.

SEC. 6. Application for permits shall be made to the department in writing and shall state the ownership, financial condition, equipment to be used and physical property of the applicant, the territory or route or routes in or over which the applicant proposes to operate, the nature of the transportation to be engaged in and such other information as the department may require, and in case such application is that of a "contract carrier" shall have attached thereto the original or duly verified copies of all contracts to furnish transportation covered by such application.

SEC. 7. The department shall prescribe forms of application for permits for the use of prospective applicants, and shall make regulations for the filing thereof.

Applications for permits shall be accompanied by the following fees:

Applications for permits.....	\$10.00
Applications for temporary permits.....	5.00
Applications for duplicate permits.....	2.00

SEC. 8. Permits granted by the department shall be in such form as the department shall prescribe and shall set forth the name and address of the person to whom the permit is granted, the nature of transportation service to be engaged in and the principal place of operation, terminal or route to be used or territory to be served by the operation. No permit holder shall operate except in accordance with the permit issued to him.

SEC. 9. No person whose application for a permit has been denied after hearing under any of the provisions of this act shall be eligible to renew the application for a period of six months from the date of the order denying such application and the cessation or abandonment of any operation pursuant thereto.

SEC. 10. The department may from time to time establish such just and reasonable classifications of the groups of carriers included in the terms "common carriers," "contract carriers" and "special carriers" as the special nature of the services performed by such carriers shall require, and such just and reasonable rules, regulations and requirements, consistent with the provisions of this act, to be observed by the carriers so classified or grouped, as the department deems necessary or advisable in the public interest.

SEC. 11. The department is hereby vested with power and authority, and it is hereby made its duty, to supervise and regulate every "common carrier" in this state; to fix, alter and amend just, fair, reasonable and sufficient rates, charges, classifications, rules and regulations of each such carrier; to regulate the accounts, service and safety of operations thereof; to require the filing of annual and other reports and of other data thereby; and to supervise and regulate such "common carriers" in all other matters affecting their relationship with both the shipping and the general public.

SEC. 12. The department is hereby vested with power and authority, and it is hereby made its duty, to supervise and regulate every "contract carrier" and "special carrier" in this state; to fix, alter and amend just, fair and reasonable classifications, rules and regulations and minimum rates and charges of each such "contract carrier" and "special carrier"; to regulate the accounts, service and safety of operations thereof; and require the filing of annual and other reports and of other data thereby; and to supervise and regulate such "contract carriers" and "special carriers" in all other matters affecting their relationship with both the shipping and the general public.

SEC. 13. The department is hereby vested with power and authority, and it shall be its duty to supervise and regulate every "private carrier" and "exempt carrier" as to its safety of operation; to require the filing of such information and data thereby as may be required by the department in carrying out the provisions of this act; and to supervise and regulate such "private carriers" and "exempt carriers" in all other matters affecting their relationship with the shipping and the general public.

SEC. 14. The department shall have power and authority to issue temporary permits to temporary "common carriers," "contract carriers" and "special carriers" covering temporary or seasonal operations for a period not to exceed one hundred twenty (120) days and may prescribe such special rules and regulations and impose such special terms and conditions with reference thereto as in its judgment are reasonable and necessary in carrying out the provisions of this act.

SEC. 15. Whether or not any motor vehicle is used in the business of transporting property for compensation within the meaning of this act shall be a question of fact, depending upon the frequency of operation, amount and basis of compensation, whether title thereto has been taken merely for the period of transportation or until delivery thereof at the point of destination, whether the carrier is regularly engaged in the buying and selling of the property transported as his principal business, whether an increased selling price assignable to the cost of transportation is charged for the property transported when delivered at the point of delivery as compared with the price charged when delivered at the point of shipment, and such other facts as indicate the true nature and extent of such use and the receipt of compensation therefor; and in all cases where any compensation for transportation is received, either directly or indirectly, the question shall be determined upon disclosing and reporting to the department of such facts as it shall require.

SEC. 16. The department shall in the granting of permits to "common carriers" and "contract carriers" under this act require such carriers to either procure and file liability and property damage insurance from a company licensed to write such insurance in the State of Washington, or deposit such security, for such limits of lia-

bility and upon such terms and conditions as the department shall determine to be necessary for the reasonable protection of the public against damage and injury for which such carrier may be liable by reason of the operation of any motor vehicle.

In fixing the amount of said insurance policy or policies, or deposit of security, the department shall give due consideration to the character and amount of traffic and the number of persons affected and the degree of danger which the proposed operation involves.

SEC. 17. The department is hereby vested with power and authority, and it is hereby made its duty, in issuing permits to "special carriers," to attach thereto such terms and conditions and to require such insurance or security as it may deem necessary for the protection of the public highways and to be for the best interest of the shipping and the general public. All such permits shall be deemed temporary and may be revoked by the department upon recommendation of the state or county authorities in charge of highway maintenance when in the judgment of such authorities such revocation is required in order to preserve the public highways.

SEC. 18. No "common carrier," "contract carrier," "special carrier," or "private carrier," its officers or agents, shall require or permit any driver or operator of any motor vehicle used in the transportation of property to be or remain on duty for a longer period than ten consecutive hours, and whenever any such driver or operator shall have been continuously on duty for ten hours he shall be relieved and not required or permitted again to go on duty until he has at least eight consecutive hours off duty; and no such driver or operator who has been on duty ten hours in the aggregate in any twenty-four hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided*, That the provisions of this section shall not apply to any case of casualty or unavoidable accident or the act of God, nor to the crews of wrecking or relief motor vehicles.

SEC. 19. All rates and charges made and all rules, regulations and practices adopted by each "common carrier" shall be plainly stated in tariff schedules or classifications available to the public at the office of such carrier and filed with the department before such rates, charges, classifications, rules, regulations and practices become effective.

No "common carrier" or "contract carrier" shall collect or receive a greater, less or different remuneration for the transportation of property or for any service in connection therewith than the rates and charges which shall have been legally established and filed with the department, or as are specified in the contract or contracts filed, as the case may be, nor shall any such carrier refund or remit in any manner or by any device any portion of the rates and charges required to be collected by each tariff or contract or filing with the department.

The department may check the records of all carriers under this act and of those employing the services of the carrier for the purpose of discovering all discriminations, under or over-charges and rebates, and may revoke permits for violations of this section.

The department may refuse to accept any time schedule or tariff or contract that will, in the opinion of the department, limit the service of a carrier to profitable trips only or to the carrying of high class commodities in competition with other carriers who give a complete service and thus afford one carrier an unfair advantage over a competitor.

SEC. 20. The department shall have power and authority to require a common carrier by motor vehicle to establish reasonable through rates with other common carriers and with commercial carriers by railroad, express and water, and to provide safe and adequate service, equipment and facilities for the transportation of property; to establish and enforce just and reasonable individual and joint rates, charges and classifications, and just and reasonable regulations and practices relating thereto, and in case of such joint rates, fares and charges to establish just, reasonable and equitable divisions thereof as between the carriers participating therein, which shall not unduly prefer or prejudice any of such participating carriers.

SEC. 21. The department may under such rules and regulations as it shall prescribe require any common carrier to file a surety bond, or deposit security, in a sum to be determined by the department, to be conditioned upon such carrier making compensation to shippers and consignees for all money belonging to shippers and con-

signees, and coming into the possession of such carrier in connection with its transportation service. Any common carrier which may be required by law to compensate a shipper or consignee for any loss, damage or default for which a connecting common carrier is legally responsible shall be subrogated to the rights of such shipper or consignee under any such bond or deposit of security to the extent of the sum so paid.

SEC. 22. It shall be unlawful for any person to operate any vehicle at the same time in more than one class of operation, except upon approval of the department and a finding that such operation will be in the public interest.

No "private carrier" as such shall transport property for compensation.

No "exempt carrier" as such shall transport property for compensation except as hereinabove provided.

SEC. 23. No permit issued under the authority of this act shall be subject to transfer or assignment.

No permit issued in accordance with the terms of this act shall be construed to be irrevocable.

Every carrier who shall cease operation and abandon his rights under the permit issued him shall notify the department within thirty (30) days of such cessation or abandonment, and return to the department the identification plates issued to him by the department.

SEC. 24. Permits may be cancelled, suspended, altered or amended by the department after notice and hearing upon complaint by any interested party, or upon its own motion, when the permittee or his or its agent has repeatedly violated this act, the rules and regulations of the department or the motor laws of this state or of the United States, or the permittee has made unlawful rebates or has not conducted his operation in accordance with the permit granted him. Any person may at the instance of the department be enjoined from any violation of the provisions of this act, or any order, rule or regulation made by the department pursuant to the terms hereof. If such suit be instituted by the department no bond shall be required as a condition to the issuance of such injunction.

SEC. 25. The department shall have power and authority, by general order or otherwise, to prescribe rules and regulations in conformity with this act to carry out the purposes thereof, applicable to any and all "motor carriers," or to any persons transporting property by motor vehicle for compensation even though they do not come within the term "motor carrier" as herein defined.

The department shall mail each holder of a permit under this act a copy of such rules and regulations.

SEC. 26. The department shall prescribe an identification card which must be displayed within the cab of each motor vehicle required to have a permit under this act, setting out permit number and the route over or territory in which the vehicle is authorized to operate and the name and address of the owner of said permit. The identification card provided for herein may be in such form and contain such information as required by the department. It shall be unlawful for the owner of said permit, his agent, servant or employee, or any other person to use or display said identification card, the permit number or other insignia of authority from the department after said permit has expired, been cancelled or disposed of.

SEC. 27. It shall be unlawful for any "common carrier," "contract carrier" or "special carrier" to operate any motor vehicle within this state unless there shall be displayed and firmly fixed upon the front and rear of such vehicle an identification plate to be furnished by the department. Such plates shall be different in design for the different classes of permits, shall bear the number given to the vehicle by the department, and such other marks of identification as may be required, and, subject to the qualification hereinafter contained, shall be in addition to the regular license plates required by law. Such plates shall be issued annually and attached to each motor vehicle not later than January first of each year, or as soon thereafter as possible.

The department shall collect from the applicant a fee of one dollar for each pair of plates so issued, and all fees for such plates shall be deposited in the state treasury to the credit of the public service revolving fund.

The directors of public service and licenses are authorized and may devise a combination license and identification plate. If they find that such a plate is prac-

ticable it shall be issued with the beginning of a calendar year and thereafter the plate fees specified by this act shall no longer be required.

SEC. 28. Every "common carrier" and "contract carrier" and "special carrier" operating under the provisions of this act shall, between the first and fifteenth days of January, April, July and October of each year, file with the department a return showing the gross operating revenue of such carrier for the preceding three months, or portion thereof, and shall pay to the department a fee of one per cent of the amount of such gross operating revenue.

All moneys collected under this act are for the purpose of carrying out the provisions of this act, and shall be paid into the state treasury at least monthly and credited to the public service revolving fund. The minimum fee paid by any such carrier under the provisions of this act for any such quarter shall be fifty cents. There shall be added a penalty of ten per cent to the sums payable under this section if the same are not paid within fifteen days of the time when delinquent.

The percentage rate of gross operating revenue to be paid as herein provided shall be subject to future adjustment by the department, which percentage, not exceeding one per cent, shall be fixed by the department by general order from time to time. In fixing such rate the department shall take into consideration all moneys on hand paid in by such carriers to the end that the moneys collected hereunder shall be neither more nor less than sufficient to cover the cost of supervising and regulating carriers under this act. The director of Public Service and the Tax Commission may, if they find it practicable, arrange for the joint return and collection of said fee and any business or occupational tax imposed by law on said carriers, and for such purpose may alter the period for which returns are required as herein provided.

SEC. 29. The department is hereby empowered to administer and enforce all provisions of this act and to inspect the vehicles, books and documents of all "motor carriers" and the books, documents and records of those using the service of the carriers for the purpose of discovering all discriminations and rebates and other information pertaining to the enforcement of this act and shall prosecute violations thereof. The department shall employ such auditors, inspectors, clerks and assistants as it may deem necessary for the enforcement of this act, and it shall be the duty of the Washington State Patrol to assist in the enforcement of this act, and the duty of the Attorney General to assign at least one assistant to the exclusive duty of assisting the department in the enforcement of this act, and the prosecution of persons charged with the violation thereof. It shall be the duty of the sheriffs of the counties to make arrests and the county attorneys to prosecute violations of this act.

SEC. 30. In all respects in which the department has power and authority under this act applications and complaints may be made and filed with it, process issued, hearings held, opinions, orders and decisions made and filed, petitions for rehearing filed and acted upon, and petitions for writs of review to the superior court filed therewith, appeals or mandate filed with the supreme court of this state, considered and disposed of by said courts in the manner, under the conditions and subject to the limitations and with the effect specified in the Public Service Commission law of this state.

SEC. 31. Every person who violates or who procures, aids or abets in the violation of any provisions of this act, or who fails to obey any order, decision, rule or regulation of the department, or who procures or aids or abets any person in his failure to obey such order, decision, rule or regulation, shall be deemed guilty of a gross misdemeanor, and upon conviction shall be punished by a fine of not exceeding five hundred dollars (\$500.00), or imprisonment in the county jail for not more than one hundred and twenty (120) days, or both such fine and imprisonment. The officers of the department and the inspectors and auditors designated thereby and members of the Washington State Patrol shall have all the lawful powers of peace officers to enforce this act in any county or city of this state.

Upon conviction of any person, firm or corporation for a second violation of this act, the court or judge before whom such conviction is had shall, in addition to any other penalty imposed, suspend the certificate of registration covering the vehicle involved in such violation for a period of thirty days, and for a third or subsequent conviction the court or judge shall, in addition to any other penalty imposed, suspend the permit of the owner of the vehicle involved in such violation for a period of three months. Each day's violation of this act or any order, decision, rule or regulation of the department shall constitute a separate offense.

SEC. 32. This act shall apply to persons and motor vehicles engaged in interstate commerce to the full extent permitted by the Constitution and laws of the United States.

SEC. 33. The department is hereby authorized and directed to cooperate with the Federal Government and the Interstate Commerce Commission of the United States or any other commission or organization delegated or authorized to regulate interstate or foreign commerce by motor carriers to the end that the transportation of property by motor carriers in interstate or foreign commerce into and through the State of Washington may be regulated and the laws of the United States and the State of Washington enforced and administered cooperatively in the public interest.

SEC. 34. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this act.

SEC. 35. If any of the provisions of this act are or shall be in conflict with any of the provisions of Chapter 111 of the Laws of 1921, or acts amendatory thereto, then this act shall supersede any such conflicting provisions, and Chapter 166 of the Laws of 1933 and Chapter 55 of the Laws of the Extraordinary Session of 1933 are hereby repealed.

SEC. 36. Persons operating under certificates of public convenience and necessity or permits issued under Chapter 166 of the Laws of 1933 and acts amendatory or supplemental thereto shall continue to operate under such permits and certificates in the same manner and to the same effect as if such rights were granted under the provisions of this act until such time as proper classification can occur.

SEC. 37. This act is necessary for the immediate preservation of the public peace, health and safety, and support of the state government and its existing public institutions and shall take effect April 1, 1935.

Strike the title and insert in lieu thereof the following:

An Act relating to transportation of freight by motor vehicles over the public highways of the State of Washington, providing for the supervision, regulation and taxation thereof, and the payment of fees thereby, providing penalties for the violation of this act, and repealing Chapter 55, Laws of the Extraordinary Session of 1933, Chapter 166, Laws of 1933, and parts of Chapter 111, Laws of 1921, and other laws inconsistent with or in conflict with this act, and declaring an emergency. .

WALTER G. RONALD, *Chairman.*

We concur in this report: Edmund J. Miller, Geo. H. Gannon, John H. Ferryman, Kebel Murphy, J. W. Thein, J. P. Keller, C. F. Stinson, C. Nifty Garrett, Horace E. Smith, Geo. F. McAulay, S. C. Roland, J. D. Bengtson, D. E. McMillan.

SENATE CHAMBER,

OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Roads and Bridges, to whom was referred Engrossed Substitute House Bill No. 483, 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.*

I concur in this report: Fred Norman.

On motion of Senator Ronald, the reports of the committee were received and the bill was read the third time.

On motion of Senator Smith, the committee amendment was adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 483, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Knutzen, McAulay, McMillan, Metcalf, Murfin, Murphy (James A.), Nelson, Orndorff, Roland, Ronald, Ryan (J. H.), Smith, Steele, Stinson, Thein, Todd, Worum—28.

Those voting nay were: Senators Keller, Kyle, Malstrom, Maxwell, Mehner, Miller, Murphy (Kebel), Norman, Ryan (Scott M.), Thomas—10.

Absent or not voting: Senators Dailey, Lovejoy, Morrow, Nugent, Peirce, Reardon, Shorett, Tewksbury—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. 334:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Roads and Bridges, to whom was referred Senate Bill No. 334, entitled: "An Act relating to the transportation of motor vehicles over the public highways of the State of Washington; providing for the payment of fees therefor, providing for the painting and stencilling of the weight thereof upon every auto stage, motor truck and trailer, and repealing Section 15 of Chapter 96 of the Laws of 1921, Section 1 of Chapter 140 of the Laws of 1931, Section 27 of Chapter 166 of the Laws of 1933, and Section 11 of Chapter 55 of the Laws Extraordinary Session, 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 amendments:

Amend by striking everything after the enacting clause and inserting in lieu thereof the following:

**SECTION 1.** Except as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected annually for each calendar year or fractional part thereof and upon each vehicle a license fee in the sum of three dollars (\$3.00): *Provided*, There shall be paid for each calendar year or fractional part thereof by dealers for dealers' license five dollars (\$5.00), which shall include one set of dealer's license plates, and for additional sets in duplicate of the dealer's license but bearing appropriate distinguishing symbols, the sum of two dollars (\$2.00) for each additional set of two plates.

**SEC. 2.** In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each auto stage, motor truck and trailer, based upon the maximum gross weight thereof as set by the licensee in his application or otherwise, the following fees: For so much of the maximum gross weight of any such vehicle in excess of 5,000 pounds and less than 15,000 pounds, 60c per hundredweight or fractional part thereof; for so much of the maximum gross weight of any such vehicle in excess of 15,000 pounds, \$2.00 per hundredweight or fractional part thereof: *Provided*, In case any such motor vehicle shall be propelled by steam, electricity, natural gas or other fuel than motor vehicle fuel the foregoing schedule of fees shall be increased in each instance by fifty per cent thereof: *Provided further*, the maximum gross weight in the case of an auto stage shall be the scale weight of such auto stage unladen to which shall be added the adult seating capacity thereof computed on the basis of 150 pounds per seat, and the maximum gross weight in case of any motor truck or trailer shall be the scale weight of such motor truck or trailer unladen to which shall be added the maximum load to be carried thereon as set by the licensee: *Provided further*, That the additional fee provided in this section shall not be collected on any motor truck or trailer used only for the purpose of transporting any well drilling machine, air compressor, rock crusher, conveyor, hoist, wrecker, donkey engine, cook house, tool house, bunk house or similar machine or structure attached to or made a part of such motor truck or trailer: *Provided further*, That in lieu of the additional fee herein set forth for trailers of a carrying capacity in excess of 20,000 pounds the operation of which is carried on under special permit from the department of highways, there shall be paid a per diem fee of five dollars (\$5.00) per day for each day's operation on the streets and highways within this state. The per diem fee shall be paid to the director of licenses in such a manner and at such time as he shall by general rules provide: *Provided further*, Any vehicle subject to the additional

license provided in this section and licensed between the first day of July and the thirtieth day of November of any year, shall be required to pay only one-half of such additional license fee if the application therefor shall be accompanied by an affidavit of the applicant sworn to before a notary public declaring that such vehicle has not been operated upon any of the public highways of this state between the first day of January and the first day of July of such year with a gross weight in excess of that for which the said vehicle has been licensed during such period: *Provided further*, Every auto stage, motor truck and trailer shall have painted or stencilled upon the outside thereof in a conspicuous place in letters not less than two (2) inches high the maximum gross weight for which additional license fee has been paid therefor as provided in this section, and it shall be unlawful for the owner or operator of any such vehicle to display a maximum gross weight for which such vehicle is licensed other than that shown on the certificate of registration of such vehicle: *Provided further*, That the provisions of this act with reference to the schedule and basis of fees shall not become effective until the first day of December, 1935.

SEC. 3. Any person who shall operate or cause to be operated upon any public highways of this state an auto stage, motor truck or trailer with a maximum gross weight in excess of that for which the same has been licensed shall be guilty of a misdemeanor. Any person who shall operate or cause to be operated upon any public highway of this state an auto stage, motor truck or trailer with a maximum gross weight in excess of the maximum gross weight for which the same has been licensed shall be deemed to have set a new maximum gross weight and shall in addition to any penalties otherwise provided be required to purchase additional license up to such new maximum gross weight and any such person who fails to secure such additional license shall be guilty of a misdemeanor: *Provided*, This section shall not apply to hire vehicles or auto stages operating principally within incorporated cities and towns: *Provided further*, No such person may be permitted or required to purchase additional license upon a gross weight which would exceed the maximum gross weight allowed by law. Any person violating any of the provisions of this section shall, upon a first conviction, pay a fine of not less than ten dollars (\$10.00) or more than twenty-five dollars (\$25.00); upon a second conviction pay a fine of not less than twenty-five dollars (\$25.00) or more than fifty dollars (\$50.00), and in addition the court may suspend the certificate of registration of such vehicle for not more than thirty days; upon the third and subsequent conviction pay a fine of not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100.00), and in addition the court shall suspend the certificate of registration of such vehicle for not less than thirty or more than ninety days. Upon ordering the suspension of any such certificate of registration the court or judge so ordering shall forthwith secure such registration certificate and mail the same to the director of licenses.

SEC. 4. It is hereby declared that the apportionment of special taxes among motor vehicles of various types should be placed upon a fair basis with respect to every phase of the use made of highways and with due reference to the administration, maintenance and construction of highways and the congestion and damage caused thereby; it is further declared that there is not now a sufficient collection of data upon which the proper apportionment of such taxes may be based and that there is a need for continued scientific study with reference to the proper and fair special tax for each class of motor vehicle.

SEC. 5. There is hereby created and continued in existence a commission for the purpose hereinafter set forth, which commission shall be composed of three members, one of whom shall be the director of highways, the second a transportation engineer of reputable standing to be appointed by the governor, and the third the director of public works.

SEC. 6. The said commission shall continue to make a study of facts upon which there may be based legislation providing for the proper apportionment of highway costs and a fair special tax to various types of motor vehicles using the highways according to all elements which may properly enter into a determination of the fair and proper taxation of each.

SEC. 7. The further study of the commission herein provided for shall supplement report of the Highway Cost Commission to the Legislature of 1935 and shall be submitted to each duly elected member of the Senate and the House of Representatives of the State of Washington not later than the first day of December, 1936, and shall

bear recommendations and findings for legislation designed to accomplish the purpose of proper apportionment and taxation of cost to each type of motor vehicle.

SEC. 8. The commission is hereby authorized to employ the necessary engineers, clerks and other employees to carry out its purposes and is authorized to pay all expenses necessary in carrying out the purpose of this act together with the publication of its findings and reports, and for such purpose there is hereby appropriated from the motor vehicle fund the sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary for the purposes of the commission in the carrying out of this act.

SEC. 9. Section 15 of Chapter 96 of the Laws of 1921, as amended by Section 1 of Chapter 140 of the Laws of 1931, as amended by Section 27 of Chapter 166 of the Laws of 1933, as further amended by Section 11 of Chapter 55 of the Laws Extraordinary Session, 1933, be and the same is hereby repealed.

SEC. 10. This act is necessary for the preservation of the peace, health and safety of the State of Washington and the support of its existing institutions and shall take effect immediately.

Strike the title and insert in lieu thereof the following:

An Act relating to the transportation of motor vehicles over the public highways of the State of Washington; providing for the payment of fees therefor; providing for exhibiting the license weight thereof on each auto stage, motor truck and trailer; providing for the effective date of provisions; defining offenses and penalties therefor; providing for a commission to determine fair and proper taxes upon types of vehicles, continuing such commission and providing for report to the 1937 legislature with recommendations; appropriating for the expenses of the commission; repealing Section 15 of Chapter 96, Session Laws of 1921, as amended by Section 1 of Chapter 140, Session Laws of 1931, as amended by Section 27 of Chapter 166, Session Laws of 1933, as amended by Section 11 of Chapter 55, Laws of the Extraordinary Session of 1933, and declaring an emergency.

W. G. RONALD, *Chairman.*

We concur in this report: Horace E. Smith, Earl Maxwell, J. W. Thein, John F. Worum, C. Nifty Garrett, J. D. Bengtson, S. C. Roland, C. F. Stinson, Geo. F. McAulay.

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

On motion of Senator Norman, the Senate resolved itself into a committee of the whole to consider Substitute Senate Bill No. 334.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

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

Senator Nelson 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. 334, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McMillan, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Peirce, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—35.

Those voting nay were: Senators McAulay, Mehner, Miller, Norman, Roland—5.

Absent or not voting: Senators Dailey, Drumheller, Lovejoy, Nugent, Reardon, Tewksbury—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 President stated that the Senate would renew consideration of House Concurrent Resolution No. 16.

**House Concurrent Resolution No. 16:**

On motion of Senator Steele, the following amendments were adopted:

Amend line 2 by striking the word "noon" between the words "Monday" and "the" and by inserting in lieu thereof the words "at midnight."

Amend line 4 by striking the comma (,) and inserting a colon (:) after the words "senate bills" and by adding the following words: "*Provided*, That the House or Senate may consider general supplemental or highway appropriation bills pending in either assembly after the time set forth herein."

On motion of Senator Steele, the following amendment was adopted:

Amend line 5 by striking the words "midnight on Wednesday, the 13th" and by inserting in lieu thereof the words "noon on Thursday, the 14th."

On motion of Senator Steele, House Concurrent Resolution No. 16, as amended, was adopted.

On motion of Senator Steele, House Concurrent Resolution No. 16 was ordered immediately transmitted to the House.

On motion of Senator Kyle, the call of the Senate was dispensed with.

At 12:30 o'clock p. m., on motion of Senator Kyle, the Senate recessed until 2:00 o'clock p. m.

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**AFTERNOON SESSION.**

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The Senate reconvened at 2:00 o'clock p. m., President Meyers in the Chair.

The President stated that the Senate would refer back to the second order of business for the purpose of receiving committee reports.

**REPORT OF STANDING COMMITTEE.**

The Committee on Roads and Bridges 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.

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 217, entitled: "An Act providing a special proceeding for the recovery of possession of real property wrongfully detained," have compared same with the original bill and find it correctly engrossed. Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Substitute Senate Bill No. 90, entitled: "An Act relating to floods, the alleviation of damage therefrom, and the regulatory control thereof, placing the administration of this act under the state supervisor of hydraulics, prescribing his authority and duties thereunder, making an appropriation therefor, and declaring that this act shall take effect immediately," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 362, entitled: "An Act relating to flood control and providing for the improvement of rivers by counties and amending Section 9626 of Remington's Revised Statutes," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: W. C. Dawson, Paul Mehner, J. W. Thein.

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

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed House Bill No. 39, and has passed the bill as amended by the said Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk.*

#### INTRODUCTION OF BILLS.

**House Bill No. 282**, by Representatives Skinner, Twidwell and Mackie, entitled: "An Act relating to local improvements in cities and towns and amending Section 12 of Chapter 98 of the Laws of 1911, as amended by Section 1 of Chapter 109 of the Laws of 1927, as amended by Section 1 of Chapter 85 of the Laws of 1931 (Section 9363, 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 Roland 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. 497**, by Representative Ledgerwood, entitled: "An Act providing for use of funds from the motor vehicle fund in cooperation with other funds for the construction of a bridge between Clarkston, Washington, and Lewiston, Idaho, over the Snake River."

The bill was read the first time, and on motion of Senator Ronald 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. 674**, by Representatives Brown and Drew, entitled: "An Act relating to the granting of relief in certain cases during the emergency

declared to exist, from inequitable foreclosure of mortgages on real estate and execution sales of real estate and for postponing certain sales and for extending the periods of redemption from certain others; and relating to the jurisdiction and procedure for such relief and for the right to possession during the extended period, and for limiting the right to maintain actions for deficiency judgments, and for extending the expiration of certain periods of redemption to 30 days after the passage of this act."

The bill was read the first time, and on motion of Senator Gannon 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. 690**, by Representative Luck, entitled: "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to limit the length of freight and passenger trains and prescribing a penalty for the violation thereof."

The bill was read the first time, and on motion of Senator Ryan (J. H.) the rules were suspended, the bill was read the second time by title, and referred to the Committee on Labor and Labor Statistics.

Senator McAulay moved that House Bill No. 690 be referred to the Committee on Railroads and Transportation.

Senators Thomas, Kyle, Dailey, Murphy (Kebel), McAulay, Ryan (J. H.), Miller and Stinson demanded a roll call on the motion by Senator McAulay.

A roll call was ordered.

The Secretary called the roll on the motion by Senator McAulay and the motion lost by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Nugent, Orndorff, Ronald, Smith, Steele, Todd, Worum—20.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Kyle, Malstrom, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thomas—21.

Absent or not voting: Senators Knutzen, Lovejoy, Maxwell, Reardon, Thein—5.

#### GENERAL FILE.

##### Senate Bill No. 340:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 340, entitled: "An Act relating to public roads in the State of Washington; providing for a distribution of part of the Motor Vehicle Fund to counties and cities for use on secondary and primary highways, and creating a fund therefor; amending Section 4 of Chapter 41 of the Session Laws of 1933, amending Section 18 of Chapter 163 of Session Laws of 1929 (Section 6330, Remington's Revised Statutes); amending Section 5 of Chapter 41 of the Session Laws of 1933, amending Section 5 of Chapter 88 of the Session Laws of 1929 and as amended by Section 1 of Chapter 168 of the Session Laws of 1933 (Section 6851-5 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 amendments:

Amcnd by striking everything after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That Section 18 of Chapter 163, Session Laws of 1929, as amended by Section 4 of Chapter 41, Session Laws of 1933, be and the same is hereby amended to read as follows:

Section 18. There is hereby created in the state treasury a state fund to be known as the "motor vehicle fund." All fees collected by the state treasurer, as herein provided, shall be paid into the state treasury and placed to the credit of the motor vehicle fund, \* \* \* \* in which shall be credited and from which shall be paid \* \* \* \* in the manner provided by law as follows:

(a) The amount required to be repaid to the counties composed entirely of islands, as provided by law.

(b) \* \* \* \* For the period beginning April 1, 1935, and ending March 31, 1937, at the time and in the manner hereinafter provided to the several counties of the state and as the same is received in the motor vehicle fund sums equal to three (\$3) cents per gallon on all taxable liquid fuel sold, less three fifths (3/5) of any sums appropriated for the administrative expenses of the offices of state treasurer, state auditor and the department of licenses, the same to be credited to the respective counties by the fifteenth day of each calendar month for the preceding calendar month in the following percentages: Adams 1.52, Asotin .78, Benton 1.48, Chelan 2.15, Clallam 1.96, Clark 2.89, Columbia 1.06, Cowlitz 2.29, Douglas 1.07, Ferry .74, Franklin 1.04, Garfield 1.02, Grant 1.08, Grays Harbor 3.20, Island .61, Jefferson 1.05, King 20.11, Kitsap 2.00, Kittitas 1.78, Klickitat 1.84, Lewis 2.76, Lincoln 1.90, Mason 1.32, Okanogan 1.36, Pacific 1.64, Pend Oreille 1.11, Pierce 7.53, San Juan .53, Skagit 3.03, Skamania 1.01, Snohomish 4.72, Spokane 5.78, Stevens 1.51, Thurston 1.99, Wahkiakum .69, Walla Walla 2.15, Whatcom 3.56, Whitman 2.89, Yakima 4.85.

(c) \* \* \* \* From the moneys credited to the several counties according to the foregoing percentages there shall be deducted and credited to each incorporated city and town in each such county amounts equal to one and one-half dollars (\$1.50) per capita of each such incorporated city and town based upon the United States Government census of 1930.

(d) \* \* \* \* The balance remaining in the motor vehicle fund and not credited to counties, cities and towns as provided in this section, less two fifths (2/5) of any sums appropriated for administrative expenses in the office of the state treasurer, state auditor and the department of licenses, and any sums appropriated for administrative expenses in the office of the director of highways, shall be applied annually to the construction, alteration, repair, improvement and maintenance of primary roads by the director of highways.

(e) \* \* \* \* On the fifteenth day of each calendar month there shall be deducted from all moneys placed to the credit of counties, cities and towns, respectively, for the preceding calendar month a sum equal to one and one-half per cent (1½%) thereof for the use of the director of highways for the cost of supervision of the counties, cities and towns as provided in this act.

SEC. 2. That Section 6 of Chapter 41, Session Laws of 1933, be and the same is hereby amended to read as follows:

Sec. 6. The general road and bridge fund is hereby abolished and from and after the taking effect of this act the county commissioners shall make no levy for such fund \* \* \* \* The lateral highway fund is hereby abolished and any balance in or funds accruing to the lateral highway fund shall be transferred to and deposited in the motor vehicle fund and subject to the provisions of this act.

SEC. 3. That Section 6 of Chapter 88, Session Laws of 1929, as amended by Section 8 of Chapter 41, Session Laws of 1933, be and the same is hereby amended to read as follows:

Section 6. On or before the eighth day of July in the year 1935 the state treasurer shall prepare and file with the board of county commissioners of each county an estimate of the \* \* \* \* amount in the motor vehicle fund which will be credited to such county for the period ending March 31, 1937, in order that the county officials may prepare the necessary budget. \* \* \* \* On or before the fifteenth day of April, 1935, the county commissioners shall by resolution, a copy of which shall be filed with the director of highways, set the amount of the sum to become available for road purposes in such county which will be expended for separate items of con-

struction and maintenance, which resolution shall be controlling unless altered by subsequent resolution approved by the director of highways.

SEC. 4. That Section 10 of Chapter 41, Session Laws of 1933, be and the same is hereby amended to read as follows:

Sec. 10. \* \* \* \* There is hereby created in each county treasury a fund to be known as the secondary highway fund, composed of any and all moneys in the county treasury now credited to the general road and bridge fund and any moneys which shall hereafter be received from any levy made for the general road and bridge fund and any and all moneys which shall hereafter be received under the provisions of this act \* \* \* \* *Any moneys which shall hereafter be received from any county or road district levy shall be deposited in the secondary highway fund to be used by the counties in carrying out their secondary highway program* \* \* \* \* *until April 1, 1937.* \* \* \* \*

SEC. 5. That Section 14 of Chapter 41, Session Laws of 1933, be and the same is hereby amended to read as follows:

Section 14. \* \* \* \* The permanent highway fund and the county permanent highway maintenance fund shall be and they hereby are abolished and any moneys which may remain therein to the credit of the various counties shall be transferred to the \* \* \* \* *motor vehicle fund* \* \* \* \*.

SEC. 6. All funds accruing to the credit of incorporated cities and towns shall become available to such cities and towns for the construction, alteration, repair, improvement and maintenance of the streets of such cities and towns forming a part of the route of any primary road or extension thereof into or through such city or town.

Payment for the cost of any such construction, alteration, repair, improvement or maintenance shall be made from the motor vehicle fund to each incorporated city and town on the fifteenth day of each month for work actually performed during the preceding calendar month, upon warrants drawn by the state auditor upon vouchers properly supported and approved by the director of highways.

The director of highways shall determine what streets, if any, in such incorporated cities or towns shall form a part of the route of any primary road and shall between the first day of April and the fifteenth day of April of each year certify in duplicate, one copy to the state auditor and one copy to the clerk of each incorporated city or town, which streets, if any, in each city or town are designated as forming a part of the route of a primary road.

The director of highways may give the city authorities permission to expend any funds accruing under the provisions of this act upon the other streets in such city, provided that repairs and improvements on streets forming part of the route of primary roads through any such city or town are maintained as nearly as possible equal to the standard of original construction: *Provided*, Any such expenditure shall be with the approval and under the supervision of the director of highways.

In the event that any money has accrued in the motor vehicle fund to the credit of any incorporated city or town in which there are no city streets designated as forming a part of the route of any primary road, the director of highways may give such city or town authorities permission to expend such money upon any streets in such city or town: *Provided*, That such expenditure shall be made upon the approval and under the supervision of the director of highways. Whenever the repair or maintenance of any city street forming a part of the route of any primary road is delayed or otherwise not satisfactorily accomplished in any manner or in a length of time unsatisfactory to the director of highways, he shall notify the proper authorities of such city or town to make the necessary repairs within a specified time not to exceed thirty (30) days. Non-compliance with this notice will authorize the director of highways to make the necessary repairs to the extent of and not to exceed the amount of money credited to such city or town or reasonably anticipated to accrue to the credit of such city or town during the next fiscal year, and shall forward a statement of the cost of such repairs or maintenance to the state auditor and the state treasurer, directing the amount of the cost of such repairs or maintenance be paid from the motor vehicle fund on proper vouchers for the expenses incurred and deducted from the amount which has accrued or which may accrue to the credit of such city or town.

Any incorporated city or town shall be allowed to expend moneys accruing to its credit in the motor vehicle fund as by this act provided, not to exceed fifty (50) per cent thereof, individually or in conjunction with any other funds, for the payment of interest or principal of warrants or bonds issued or to be issued for the condemnation

of property for, or the construction of, roads, streets or bridges within such city, or for any other proper road or street purpose, upon voucher therefor approved by the director of highways.

There shall be submitted to the director of highways not later than the tenth day of each month a certified statement by the city clerk of each incorporated city and town showing in detail the construction, alteration, repair, improvement or maintenance of any city streets during the preceding calendar month and in any case in which any incorporated city or town shall fail to make report showing such details and the same is not in the office of the director of highways by the tenth day of such month the director of highways shall so notify the state treasurer and no further funds shall be paid to such city or town until such detailed report has been presented.

SEC. 7. That Section 17 of Chapter 41, Session Laws of 1933, be and the same is hereby amended to read as follows:

Section 17. Secondary roads, as defined in this act, \* \* \* \* shall be constructed, *altered, repaired, improved* and maintained by the county commissioners of the respective counties \* \* \* \* *to be paid for from moneys accruing and credited to such counties after deductions in this act provided \* \* \* \** No construction work shall be done or paid for from any moneys accruing to the counties under this act unless on plans and specifications first approved by the director of highways. \* \* \* \* *No payment shall be made from moneys accruing under the provisions of this act to the counties except on warrants drawn by the state auditor on vouchers properly supported and approved by the director of highways and such payment shall be made on the fifteenth day of the month following the calendar month in which such vouchers have been submitted.*

*The county commissioners of each county shall file in the office of the director of highways on or before the tenth day of each month a detailed report of all construction, alteration, repair, improvement and maintenance and all other expenditures from the funds accruing under this act during the preceding calendar month and shall from time to time report to the director of highways or the state in such form and in such manner any further records and reports required by law or which may be required by the director of highways. In case any records or reports required by law or by the director of highways are not made in the manner or at the time required the director of highways shall so notify the state treasurer and no further funds shall be paid to such county until such reports have been made. Any moneys accruing to the credit of any county under the provisions of this act may be paid to such county upon vouchers approved by the director of highways for the construction, alteration, repair, improvement or maintenance of county roads, bridges and wharves connecting with water transportation of vehicles, and for any proper road purpose, including payment of interest or principal of road bonds according to existing laws and any and all moneys hereafter realized under the provisions of this act. Such moneys may be expended either independently or in conjunction with the state or any city, town or other tax district within the county. Payment of interest or principal of general obligation county road bonds or independent highway district bonds is hereby declared to be a proper road purpose. The county commissioners are hereby given authority to use any moneys realized under this act for eminent domain or any other proper road purpose in any manner provided by law.*

*In the event that any funds should become available from the Federal Government or otherwise for any construction, alteration, repair or improvement of city streets of any incorporated city or town or of any secondary roads of any county and the same is to be performed by the department of highways, the state treasurer shall set aside from any moneys in the motor vehicle fund credited to any such incorporated city or town or county the cost of engineering and the supervision thereof, and the cost of any right of way necessary therefor, the same to be paid from the money so set aside or so much thereof as may be necessary, upon warrants drawn by the state auditor upon vouchers submitted by the department of highways for such engineering, supervision and right of way.*

SEC. 8. That Section 21 of Chapter 41, Session Laws of 1933, be amended to read as follows:

Section 21. Inasmuch as an emergency exists at the present time and it is the desire to create as much employment as possible from the going into effect of this act until April 1, 1937, the director of highways in his discretion is hereby authorized to do or perform any and all types of highway work on primary roads, as defined in this

act, by day labor or force account in any amount up to the sum of twenty-five thousand dollars (\$25,000) on any one project.

SEC. 9. That Section 22 of Chapter 41, Session Laws of 1933, be and the same is hereby amended to read as follows:

Section 22. Inasmuch as an emergency exists at the present time and it is the desire to create as much employment as possible from the going into effect of this act until April 1, 1937, the county commissioners \* \* \* \* *with the approval of the director of highways* are hereby authorized to do or perform any and all types of highway work on secondary roads, as defined in this act, by day labor or force account in any amount up to the sum of \* \* \* \* *five thousand dollars (\$5,000)* on any one project: *Provided, This section shall be construed to mean a complete project and shall not be construed to allow the defeat of any law of this state requiring the letting of public contracts by competitive bidding by the division of projects into units or classes of work.* With the \* \* \* \* *exception in this section contained* the county commissioners shall expend all moneys accruing to the *credit of the counties* under this act in the manner now provided by law for the administration of county road affairs, whether such roads which are hereby called secondary roads were formerly called township roads, county roads, permanent highways or lateral highways.

SEC. 10. That for the purpose of securing a complete codification of the laws of this state with reference to highways and the licensing and regulation of vehicles thereon, the director of highways is hereby directed to submit to the legislature at its regular session of 1937 a complete code of highway law. Advance copies of such code of highway law shall be submitted to every elected member of the Senate and House of Representatives by November 15, 1936.

SEC. 11. Nothing in this act contained shall be construed to amend, alter or modify any provisions of existing law or laws, excepting to the extent that such existing law or laws are by this act expressly repealed or are in such conflict with the provisions of this act as to be repealed by implication.

SEC. 12. That Chapter 168, Session Laws of 1933, and Sections 5, 12, 18, 19, 20 and 23 of Chapter 41, Session Laws of 1933, be and the same are hereby repealed.

SEC. 13. That this act is necessary for the immediate preservation of the public peace, health and safety and the support of the state government and its existing public institutions and shall take effect on the first day of April, 1935.

Amend the title of the act by striking the entire title and inserting in lieu thereof the following:

AN ACT relating to public roads in the State of Washington; abolishing the general road and bridge and lateral highway funds; providing for a credit and use of a portion of the receipts in the motor vehicle fund; creating a secondary highway fund; defining the powers and duties of certain state and county officials with respect to public roads; providing for certain records and reports; providing for the performance of work on certain public roads by force account or day labor; amending Section 18 of Chapter 163, Session Laws of 1929, as amended by Section 4 of Chapter 41, Session Laws of 1933, Section 6 of Chapter 88, Session Laws of 1929, as amended by Section 8 of Chapter 41, Session Laws of 1933, and Sections 6, 10, 14, 17, 21 and 22 of Chapter 41, Session Laws of 1933; repealing Chapter 168, Session Laws of 1933, and Sections 5, 12, 18, 19, 20 and 23 of Chapter 41, Session Laws of 1933, and acts in conflict herewith; and declaring an emergency and that this act shall take effect April 1, 1935.

W. G. RONALD, *Chairman.*

We concur in this report: Horace E. Smith, Geo. F. McAulay, Earl Maxwell, C. F. Stinson, John F. Worum, C. Nifty Garrett, J. W. Thein, J. D. Bengtson, S. C. Roland.

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

Senator Smith moved the adoption of the following amendment to the committee amendment:

Amend the committee amendment, Section 1, by striking all of Subsection (c) and inserting in lieu thereof the following:

"(c) \* \* \* \* From the moneys credited on an annual basis to the several counties according to the foregoing percentages there shall be deducted and credited to each incorporated city and town in each such county, by the fifteenth day of each

calendar month, an amount which on an annual basis shall aggregate to each such incorporated city and town in each such county a total amount equal to one and one-half dollars (\$1.50) per capita population of each such incorporated city and town according to the United States Government census of 1930."

The motion by Senator Smith carried.

On motion of Senator Smith, the committee amendment, as amended, was adopted.

Senator McMillan moved the adoption of the following amendment:

Amend Section 7, line 14, page 7, after the word "county" strike the following words "and the same is to be performed by the department of highways," and inserting in lieu thereof the following words "they shall be expended in the manner provided for roads of like character unless specified otherwise by federal mandate."

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

Senator Bengtson moved the adoption of the following amendment:

Amend Section 1, Subsection 18, Subsection (b), line 1, to read as follows: Strike the words "For the period beginning April 1, 1935, and ending March 31, 1937," and in lieu thereof insert the following: "From and after April 1, 1935."

Senator Miller moved that the amendment by Senator Bengtson be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

Senator Peirce moved the adoption of the following amendment:

Amend Section 1, Subsection (c), line 2 on page 2, after word "city" strike words "and town," insert comma and words "town and township."

Senator Miller moved that the amendment by Senator Peirce be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

Senator Peirce moved the adoption of the following amendment:

Amend Section 1, Subsection (c), page 2, line 4, after word "city" strike words "and town," insert comma and words "town and township."

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

Senators Gannon, Malstrom and Miller demanded the previous question. The previous question was ordered.

The Secretary called the roll on the final passage of Senate Bill No. 340, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Nelson, Norman, Orndorff, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Their, Thomas, Todd, Worum—37.

Those voting nay were: Senators Farquharson, Malstrom, Murphy (James A.), Murphy (Kebel), Peirce, Roland, Ryan (Scott M.)—7.

Absent or not voting: Senators Lovejoy, Nugent—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 Ryan (J. H.), 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 10, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills to whom was referred Engrossed Senate Bill No. 334, entitled: "An Act relating to the transportation of motor vehicles over the public highways of the State of Washington; providing for the payment of fees therefor; providing for exhibiting the license weight thereof on each auto stage, motor truck and trailer; providing for the effective date of provisions; defining offenses and penalties therefor; providing for a commission to determine fair and proper taxes upon types of vehicles continuing such commission and providing for report to the 1937 legislature with recommendations; appropriating for the expenses of the commission; repealing Section 15 of Chapter 96, Session Laws of 1921, as amended by Section 1 of Chapter 140, Session Laws of 1931, as amended by Section 27 of Chapter 166, Session Laws of 1933, as amended by Section 11 of Chapter 55, Laws of the Extraordinary Session of 1933, and declaring an emergency," have compared same with the original bill and find it correctly engrossed. Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

**REPORT OF STANDING COMMITTEE.**

A majority of the Committee on Labor and Labor Statistics recommended that House Bill No. 690 do pass.

A minority of the Committee on Labor and Labor Statistics recommended that House Bill No. 690 do not pass.

The reports of the committee, together with the bill, were placed on general file.

**GENERAL FILE.**

**Senate Bill No. 235**, by Senators Peirce and McAulay, entitled: "An Act relating to the rate of common carriers of property for compensation and amending Section 57 of Chapter 117 of the Laws of 1911 (Section 10393, Remington's Revised Statutes)," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 235, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dailey, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas, Todd, Worum—36.

Those voting nay were: Senator Norman—1.

Absent or not voting: Senators Bengtson, Duggan, Lovejoy, McMillan, Murfin, Murphy (Kebel), Nugent, Smith, 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. 249**, by Committee on Rules and Joint Rules (by request of State Liquor Board), entitled: "An Act relating to crimes and punishments, and more particularly to the sale of under aged liquor, and repealing Sections 443 and 444 of Chapter 249 of the Laws of 1909, the same being Sections 2695 and 2696, respectively, of Remington's Revised Statutes, and declaring that this Act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 249, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators McAulay, McMillan, Miller, Murphy (James A.), Norman, Orndorff, Peirce, Reardon, Steele, Tewksbury—10.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, Mehner, Metcalf, Morrow, Murfin, Murphy (Kebel), Nelson, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Thein, Thomas, Todd, Worum—31.

Absent or not voting: Senators Dailey, Duggan, Lovejoy, Nugent, Ronald—5.

The bill, having failed to receive the constitutional majority, was declared lost.

The Secretary read:

#### REPORT OF CONFERENCE COMMITTEE.

OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 582, entitled: "An Act relating to and providing for old-age assistance; defining the powers and duties of certain officers in connection therewith; prescribing penalties; appropriating funds for such assistance; repealing Chapter 29, Laws of 1933, abolishing county old age pension fund, amending Section 9, Chapter 55, Laws of 1933, and declaring its effective dates," have had the same under consideration, and we report the same back with the following recommendations:

That the House concur in Senate amendment to all sections as follows: "Amend all sections by striking all titles in italics where same appear."

That the Senate recede from its amendment to Section 18, as follows:

Amend Section 18, line 25, page 6 of the engrossed bill, after the word "again" change the ":" to a period (.) and strike the balance of the section.

That the House concur in the Senate amendment to Section 31, as follows:

Amend Section 31, line 14, page 10 of the engrossed bill, strike "state general fund" and insert in lieu thereof "current expense fund of said county."

#### *Senate Members:*

K. W. REARDON,  
JAMES DAILEY,  
P. FRANK MORROW.

#### *House Members:*

PEARL A. WANAMAKER,  
ALFRED E. HOLT,  
GEORGE E. DREW.

On motion of Senator Reardon, the report of the conference committee on Engrossed House Bill No. 582 was adopted.

The Secretary called the roll on the final passage of Engrossed House Bill No. 582, as amended by the conference committee, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, McAulay, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Peirce, Reardon,

Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—38.

Absent or not voting: Senators Dailey, Knutzen, Lovejoy, Maxwell, Mc-Millan, Nelson, Nugent, 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.

The Secretary read:

**MESSAGES FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 6; also  
House Bill No. 56; also  
Engrossed House Bill No. 58; also  
Engrossed House Bill No. 120; also  
House Bill No. 191; also  
House Bill No. 239; also  
House Bill No. 261; also  
Engrossed House Bill No. 277; also  
House Bill No. 286; also  
Engrossed House Bill No. 419; also  
Engrossed House Bill No. 425; also  
House Bill No. 450; also  
House Bill No. 509; also  
House Bill No. 519; also  
House Bill No. 525; also  
House Bill No. 567; also  
House Bill No. 571; also  
House Bill No. 625; also  
Engrossed House Bill No. 71; also  
Engrossed House Bill No. 104; also  
Engrossed House Bill No. 172; also  
Engrossed House Bill No. 220; also  
Engrossed House Bill No. 271; also  
Engrossed House Bill No. 310; also  
Engrossed House Bill No. 376; also  
Engrossed House Bill No. 447; also  
Engrossed House Bill No. 477; also  
Engrossed House Bill No. 605; also  
Engrossed House Bill No. 637,

and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

The House has concurred in the Senate amendments to House Concurrent Resolution No. 16, and adopted the resolution as amended by the Senate.

S. R. HOLCOMB, *Chief Clerk.*

**GENERAL FILE.**

**Senate Bill No. 157**, by Committee on Rules and Joint Rules (by request of Insurance Department), entitled: "An Act relating to insurance; amending Section 101, Chapter 49, Laws of 1911 (Section 7146, Remington's Compiled Statutes of Washington); providing for inspection and clearance by a bureau designated by the State Insurance Commissioner of daily reports

of insurance written; providing for penalties for violation hereof; and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 157, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, McAulay, Mehner, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Worum—35.

Those voting nay were: Senator Roland—1.

Absent or not voting: Senators Bengtson, Knutzen, Lovejoy, Maxwell, McMillan, Metcalf, Miller, Nugent, Stinson, 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.

**Senate Bill No. 342:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Senate Bill No. 342, entitled: "An Act relating to arguments for or against proposed amendments to the constitution submitted by the 24th regular session of the Legislature, and providing for the printing and distribution thereof, 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 the title by striking the last five words, "and making an appropriation therefor."

Amend the bill by striking all of Section 2.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Joseph Drumheller, W. C. Dawson, G. B. Kerstetter, Scott M. Ryan, E. L. Brunton, Geo. A. Lovejoy, Geo. H. Gannon, J. A. Murphy, Ed. Peirce, Chas. H. Todd, D. O. Nugent.

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

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 342.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Miller, the committee amendments read in the committee of the whole were adopted.

Senator Miller 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. 342, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McAulay, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—34.

Those voting nay were: Senator Peirce—1.

Absent or not voting: Senators Barnes, Bengtson, Ferryman, Lovejoy, Maxwell, McMillan, Nelson, Norman, Nugent, Ryan (Scott M.), 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.

**Senate Bill No. 332**, by Senators Steele, Shorett and McAulay, entitled: "An Act relating to publication and sale of Washington Supreme Court Reports and amending Section 3, Chapter 167 of Laws of 1905 (Section 11066, Remington's Revised Statutes)," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 332, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Knutzen, Kyle, Malstrom, Mehner, Miller, Murfin, Norman, Orndorff, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thomas—24.

Those voting nay were: Senators Gannon, Morrow, Murphy (Kebel), Roland—4.

Absent or not voting: Senators Bengtson, Brunton, Dailey, Farquharson, Kerstetter, Lovejoy, Maxwell, McAulay, McMillan, Metcalf, Murphy (James A.), Nelson, Nugent, Peirce, Ryan (Scott M.), Thein, Todd, Worum—18.

The bill, having received the 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. 346**, by Senator Smith, entitled: "An Act validating, ratifying, approving, confirming and declaring valid proceedings heretofore taken for the authorization and issuance of bonds by any city or town for the purpose of financing in whole or in part the construction, reconstruction, replacement, enlargement, extension, repairing or improvement of its water-works system including all property, real and personal, appurtenant thereto or connected therewith, authorizing the completion of such proceedings and the issuance of bonds pursuant thereto and declaring such bonds binding, legal, valid and enforceable obligations of such city or town, and declaring an emergency," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 346, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.),

Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—43.

Absent or not voting: Senators Lovejoy, Nelson, Nugent—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. 79:**

Senator Reardon raised a question of consideration on Senate Bill No. 79.

Senators Thomas, Farquharson, Ryan (J. H.), Kyle, Dailey, Gannon, Miller and Kerstetter demanded a roll call on the question of consideration.

The Secretary called the roll on the question of consideration, and the question of consideration lost by the following vote:

Those voting aye were: Senators Brunton, Dawson, Drumheller, Duggan, Garrett, Maxwell, McAulay, Metcalf, Murphy (James A.), Norman, Orndorff, Reardon, Smith—13.

Those voting nay were: Senators Barnes, Bengtson, Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Maistrom, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (Kebel), Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—30.

Absent or not voting: Senators Lovejoy, Nelson, Nugent—3.

On motion of Senator Reardon, Senator Nugent was excused.

On motion of Senator Reardon, Senator Nelson was excused.

On motion of Senator Steele, Senator Lovejoy was excused.

Senators Kerstetter, Miller and Ryan (J. H.) 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 except Senators Nelson, Nugent and Lovejoy, who were excused.

On motion of Senator Peirce, the Senate proceeded under the call of the Senate.

Senator Murphy (Kebel) moved that the further call of the Senate be dispensed with.

The motion by Senator Murphy (Kebel) lost.

Senator Maxwell moved that the Senate recess until 7:30 o'clock p. m.

The motion by Senator Maxwell lost.

Senator Reardon moved that Senate Bill No. 79 be indefinitely postponed.

Senator Miller moved that the motion by Senator Reardon be laid on the table.

The motion by Senator Miller carried.

**Senate Bill No. 79:**

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., January 30, 1935.

We, a majority of your Committee on Industrial Insurance, to whom was referred Senate Bill No. 79, entitled: "An Act relating to industrial insurance and the care of injured workmen and amending Sections 7687, 7703 and 7726 of Rem-

ington's Compiled Statutes and Sections 7686, 7712, 7714 and 7725 of Remington's 1927 Supplement," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

P. FRANK MORROW, *Chairman*.

We concur in this report: G. B. Kerstetter, Kebel Murphy.

SENATE CHAMBER,  
OLYMPIA, WASH., January 30, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Industrial Insurance, to whom was referred Senate Bill No. 79, 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. C. Dawson, D. E. McMillan.

On motion of Senator Morrow, the reports of the committee were received and the bill was read the third time.

On motion of Senator Miller, further action on Senate Bill No. 79 was deferred but the bill was to hold its place on the calendar.

**Senate Bill No. 324**, by Committee on Elections and Privileges, entitled: "An Act requiring precinct election officers to prepare copies of the result of votes cast at their precincts for transmittal to the County Election Board, and for posting at the polling places; and prescribing a penalty for mutilation of or interference with such copies," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 324, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Dalley, Drumbheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—39.

Those voting nay were: Senators Bengtson, Brunton, Dawson—3.

Absent or not voting: Senators Lovejoy, Nugent, Smith, Steele—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. 320**, by Senator Tewksbury (by request), entitled: "An Act relating to the regulation and control of waters within the State of Washington and rights to the use thereof, providing for the setting aside of non-navigable streams for domestic and municipal use and supply, withdrawing said streams from future appropriation, except as herein provided, amending Section 7351, Remington's Revised Statutes of the State of Washington, repealing all acts or parts of acts in conflict herewith and declaring an emergency," was read the third time.

On motion of Senator Tewksbury, the following amendment was adopted:

Amend Section 1, page 1, line 22 of the printed bill by inserting after the word "purpose" the following: "except such water as may hereafter be required or used for irrigation and/or private domestic purposes."

On motion of Senator Tewksbury, the following amendment was adopted:

Amend Section 1, page 2, line 4 of the printed bill by inserting a comma (,) after the first word "waters," and after the comma (,) and before the word "or" insert the following: "except for irrigation and/or private domestic use."

The Secretary called the roll on the final passage of Senate Bill No. 320, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—26.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Knutzen, McAulay, McMillan, Mehner, Metcalf, Murfin, Norman, Orndorff, Reardon, Ronald, Smith, Worum—19.

Absent or not voting: Senator Lovejoy—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 moved to reconsider the vote by which Senate Bill No. 320 passed the Senate.

Senator Miller moved that the motion by Senator Maxwell be laid on the table.

Senators Dawson, Maxwell, Reardon, Nugent, Drumheller, McAulay, Murphy (James A.) and Ronald demanded a roll call on the motion by Senator Miller.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Miller and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Tewksbury, Thein, Thomas—22.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Maxwell, McAulay, McMillan, Metcalf, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Smith, Stinson, Todd, Worum—23.

Absent or not voting: Senator Lovejoy—1.

The motion by Senator Maxwell carried.

#### RECONSIDERATION.

The Secretary called the roll on the final passage of Senate Bill No. 320, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Kyle, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd—25.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Knutzen, Maxwell, McAulay, McMillan, Mehner, Metcalf, Murfin, Norman, Orndorff, Reardon, Ronald, Smith, Worum—20.

Absent or not voting: Senator Lovejoy—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 Malstrom, further call of the Senate was dispensed with.

On motion of Senator Steele, all bills passed up to date were ordered immediately transmitted to the House.

At 5:30 o'clock p. m., on motion of Senator Kyle, the Senate recessed until 7:30 o'clock p. m.

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### EVENING SESSION.

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The Senate reconvened at 7:30 o'clock p. m., President Meyers in the chair.

Senator Kyle moved that Senators Barnes and Metcalf be excused at 10:00 o'clock p. m.

The motion by Senator Kyle carried.

The Secretary read:

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 320, entitled: "An Act relating to the regulation and control of waters within the State of Washington and rights to the use thereof, providing for the setting aside of non-navigable streams for domestic and municipal use and supply, withdrawing said streams from future appropriation, except as herein provided, amending Section 7351, Remington's Revised Statutes of the State of Washington, repealing all acts or parts of acts in conflict herewith and declaring an emergency," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: W. C. Dawson, J. W. Thein.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 342, entitled: "An Act relating to arguments for or against proposed amendments to the constitution submitted by the 24th regular session of the Legislature, and providing for the printing and distribution thereof," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House Bill No. 497, entitled: "An Act providing for use of funds from the motor vehicle fund in cooperation with other funds for the construction of a bridge between Clarkston,

Washington, and Lewiston, Idaho, over the Snake River," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

W. G. RONALD, *Chairman*.

We concur in this report: Chas. F. Stinson, Fred Norman, John H. Ferryman, J. D. Bengtson, S. C. Roland, C. Nifty Garrett, John F. Worum, D. E. McMillan, J. W. Thein, J. P. Keller, Geo. F. McAulay.

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

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House Bill No. 689, entitled: "An Act authorizing acquisition by the State of Washington of all interest, share, right and title of the cities of Aberdeen, Hoquiam, and Grays Harbor County in and to certain bridges located on State Highways, namely: the Wishkah River Bridge in the city of Aberdeen, crossing the Wishkah River on State Road No. 9; the Chehalis River Bridge in the city of Aberdeen, crossing the Chehalis River on State Road No. 13; the Simpson Avenue Bridge in the city of Hoquiam, crossing the Hoquiam River on State Road No. 9; the Little Hoquiam River Bridge in the city of Hoquiam, crossing the Little Hoquiam River on State Road No. 9; providing methods for acquisition thereof and payment therefor and providing for the operation and control of said bridges by the State of Washington, 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.

W. G. RONALD, *Chairman*.

We concur in this report: John H. Ferryman, D. E. McMillan, C. Nifty Garrett, J. P. Keller, J. W. Thein, Fred Norman, John F. Worum, S. C. Roland, J. D. Bengtson.

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

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House Bill No. 104, entitled: "An Act to provide for a bridge across Columbia Slough from Puget Island in the Columbia River to Cathlamet, Wahkiakum County, and making the necessary 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.

W. G. RONALD, *Chairman*.

We concur in this report: J. W. Thein, John F. Worum, C. Nifty Garrett, H. L. Nelson, C. F. Stinson, Fred Norman, D. E. McMillan, S. C. Roland, J. D. Bengtson, J. P. Keller.

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

SENATE CHAMBER,

OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Engrossed House Bill No. 295, entitled: "An Act relating to the construction, maintenance and operation of a bridge and approaches thereto across Puget Sound within the county of Pierce, at or near a point commonly known as The Narrows; granting the consent of the State of Washington therefor to H. O. Scofield, chairman of the board of Pierce County Commissioners; Fred H. Marvin, chairman of Pierce County Port Commission, and George A. Smitley, mayor of the city of Tacoma, and/or their legally elected or appointed successors in office; and granting a right of way therefor through, over and across the submerged and public lands of the State of Washington,

and authorizing the filling in 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. G. RONALD, *Chairman*.

We concur in this report: John H. Ferryman, D. E. McMillan, J. P. Keller, John F. Worum, C. Nifty Garrett, J. D. Bengtson, S. C. Roland, J. W. Thein, Geo. F. McAulay.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Forestry and Logged-off Lands, to whom was referred Engrossed House Bill No. 36, entitled: "An Act pertaining to removal of timber while taxes are delinquent, and providing penalty," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. G. BARNES, *Chairman*.

We concur in this report: J. W. Thein, D. E. McMillan, J. D. Bengtson, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Substitute House Bill No. 230, entitled: "An Act enlarging the powers of the director of game fish and all game protectors, to allow them to arrest trespassers," 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, Geo. H. Gannon, Horace E. Smith, J. W. Thein, Fred S. Duggan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred House Bill No. 417, entitled: "An Act relating to the taking and reduction of pilchards," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

L. E. TEWKSBURY, *Chairman*.

We concur in this report: J. H. Ryan, Fred Norman, Paul Mehner, Geo. A. Lovejoy, James Dailey, Scott M. Ryan, H. L. Nelson.

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

The Secretary read:

#### MESSAGE FROM THE GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 11, 1935.

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. 88: "An Act relating to banks, trust companies and mutual savings banks; providing for the issuance of capital notes or debentures; defining the meaning thereof and construing the term capital as used herein; providing such capital

notes and debentures shall be subordinate to depositors and other creditors; that capital stock may be carried on the books at less than par; that no assessment shall be levied upon the holders of capital notes or debentures; repealing all acts and parts of acts in conflict herewith."

Senate Bill No. 89: "An Act relating to banks and trust companies; providing for the repayment of sums deposited with the state treasurer as superadded liability of stockholders; repealing Section 4, Chapter 42, Laws of 1933 (Remington's Revised Statutes Section 3229-2)."

Senate Bill No. 351: "An Act appropriating the additional sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary, for the printing of the Twenty-Fourth Legislature of the State of Washington; and declaring an emergency."

Senate Bill No. 352: "An Act appropriating the additional sum of thirty thousand dollars (\$30,000.00), or so much thereof as may be necessary, for the expenses of the Twenty-Fourth Legislature of the State of Washington; and declaring an emergency."

Yours very truly,

RICHARD HAMILTON,

*Secretary to the Governor.*

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

The House has passed Engrossed House Bill No. 208; also Engrossed House Bill No. 265, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Garrett, the Secretary of the Senate was instructed to request Attorney General Hamilton to wire the Supreme Court of the United States for a complete text of the decision rendered on the Kentucky Gross Sales Tax.

#### SPECIAL ORDER.

The President stated that the hour for the special order of business having arrived, the Senate would proceed to consider Substitute Senate Bill No. 228.

Senators Drumheller, Todd and McAulay 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 Todd, the Senate proceeded under the call of the Senate.

Senator Murphy (Kebel) moved the adoption of the following amendment to Substitute Senate Bill No. 228:

Amend Section No. 1: Strike "\$5,200.00" and insert \$4,000.00."

Senators Orndorff, Drumheller and Murphy (James A.) demanded the previous question.

The previous question was ordered.

Senators Drumheller, Miller, Todd, Murphy (James A.), Ryan (J. H.), Duggan, Reardon and Gannon demanded a roll call on the motion by Senator Murphy (Kebel).

A roll call was ordered.

The Secretary called the roll on the motion by Senator Murphy (Kebel) and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Gannon, Kerstetter, Kyle, Morrow, Murphy (James A.), Murphy (Kebel), Roland, Ryan (Scott M.), Thomas—11.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—34.

Absent or not voting: Senator Maxwell—1.

Senator Gannon moved the adoption of the following amendment:

Amend Section 2, line 2: Add after word "welfare" the words "and assistants of other departments."

The motion by Senator Gannon lost.

Senator Ryan (J. H.) moved the adoption of the following amendment:

Amend by adding a new section to be known as Section 3-A:

"SEC. 3-A. Provided that there is hereby established a minimum wage of one hundred (\$100.00) dollars per month for each employee of the State of Washington, save and except those employed in institutions where board and room is furnished; in these cases the minimum wage shall be sixty (\$60.00) dollars per month."

Senators Kyle, Farquharson, Ryan (J. H.), Murphy (Kebel), Malstrom, Gannon, Kerstetter and Nelson demanded a roll call on the motion by Senator Ryan (J. H.).

A roll call was ordered.

The Secretary called the roll on the motion by Senator Ryan (J. H.) and the motion carried by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Farquharson, Gannon, Keller, Kerstetter, Kyle, Malstrom, Maxwell, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thomas—24.

Those voting nay were: Senators Barnes, Brunton, Dawson, Drumheller, Duggan, Ferryman, Garrett, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Murfin, Orndorff, Reardon, Ronald, Smith, Steele, Thein, Todd, Worum—22.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 228, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—45.

Those voting nay were: Senator Murphy (James A.)—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 Reardon moved that the rules be suspended and that the Senate refer back to the first order of business for the purpose of reconsidering the vote by which Senate Bill No. 31 failed to pass the Senate.

Senators Reardon, Kyle, Morrow, Roland, Steele, Miller, Murphy (James A.) and Garrett demanded a roll call on the motion by Senator Reardon.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Reardon and the motion lost by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Metcalf, Miller, Murfin, Murphy (James A.), Norman, Orndorff, Peirce, Reardon, Shorett, Smith, Tewksbury, Todd, Worum—28.

Those voting nay were: Senators Farquharson, Gannon, Kerstetter, Kyle, Malstrom, Mehner, Morrow, Murphy (Kebel), Nelson, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Steele, Stinson, Thein, Thomas—17.

Absent or not voting: Senator Nugent—1.

**Senate Bill No. 3:**

Senator Ryan (J. H.) moved that the Committee on Rules and Joint Rules be discharged of further consideration of Senate Bill No. 3.

Senator Morrow moved that the motion by Senator Ryan (J. H.) be laid on the table.

Senators Kyle, Todd, Dailey, Farquharson, Thomas, Ryan (J. H.), Miller and Malstrom demanded a roll call on the motion by Senator Morrow.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Orndorff, Reardon, Ronald, Smith, Steele, Thein, Todd—25.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thomas, Worum—21.

**Senate Bill No. 300:**

Senator Peirce moved that the Committee on Rules and Joint Rules be discharged of further consideration of Senate Bill No. 300.

Senator Morrow moved that the motion by Senator Peirce be laid on the table.

Senators Kyle, Peirce, Dailey, Ryan (J. H.), Tewksbury, Kerstetter, Thomas and Gannon demanded a roll call on the motion by Senator Morrow.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—28.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—18.

**Senate Bill No. 156:**

Senator Peirce moved that the Committee on Rules and Joint Rules be discharged of further consideration of Senate Bill No. 156.

Senators Thomas, Kyle, Kerstetter, Ryan (J. H.), Murphy (Kebel), Dailey, Farquharson and Gannon demanded a roll call on the motion by Senator Peirce.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Peirce and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, McAulay, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—19.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Norman, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—27.

**Senate Bill No. 79:**

On motion of Senator Kerstetter, further consideration of Senate Bill No. 79 was taken up.

On motion of Senator Kerstetter, the following amendments were adopted:

Amend Section 1, being line 5 of page 1 of the printed bill by underlining the following words: "or licensed practitioner in the art of healing."

Amend Section 1, being line 6, page 1 of the printed bill by underlining the following words: "or licensed practitioner."

Amend Section 1, being line 14, page 1 of the printed bill by underlining the following words: "or licensed practitioner in the art of healing."

Amend Section 1, being line 22, page 1 of the printed bill by underlining the following words: "or licensed practitioner in the art of healing."

Amend Section 2, being lines 4 and 5 of page 2 of the printed bill by underlining the following words: "or licensed practitioner in the art of healing."

Amend Section 2, being line 7 of page 2 of the printed bill by placing "\* \* \* \*" after the word "of" and by underlining the following words: "their professional relation to the patient."

Amend Section 3, being line 16 of page 2 of the printed bill by underlining the following words: "chiropractic, osteopathic, sanipractic."

Amend Section 3, being line 18 of page 2 of the printed bill by underlining the following word: "methods."

Amend Section 4, being line 34 of page 2 of the printed bill by underlining the following words: "chiropractic, osteopathic or sanipractic services."

Amend Section 5, being line 8 of page 3 of the printed bill by striking the word "in" before the word "said" and inserting in lieu thereof the following words: "entitled to compensation under the provisions of."

Amend Section 5, being line 10 of page 3 of the printed bill by underlining the following words: "care and treatment for the same."

Amend Section 5, being lines 10 and 11 of page 3 of the printed bill by underlining the following words: "or any licensed practitioner in the art of healing under the laws of the State of Washington,".

Amend Section 5, being line 23 of page 3 of the printed bill by underlining the following words: "for injuries."

Amend Section 5, being line 24 of page 3 of the printed bill by inserting the word "if," between the words "fund" and "and."

Amend Section 5, being line 32 of page 3 of the printed bill by underlining the following words: "or licensed practitioner in the art of healing."

Amend Section 5, being lines 33 and 34 of page 3 of the printed bill by underlining the following words: "or licensed practitioner in the art of healing."

Amend Section 5, being line 17 of page 4 of the printed bill by underlining the following words: "chiropractic, osteopathic, sanipractic."

Amend Section 6, being line 21 of page 4 of the printed bill by striking the word "and" between the figures "7673" and "7711" and by inserting in lieu thereof the word "to."

Amend Section 6, being lines 22 and 23 of page 4 of the printed bill by inserting "\* \* \* \*" after the word "medical" and by underlining the following words: "surgical, chiropractic, osteopathic, sanipractic,".

Amend Section 6, being lines 25 and 26 of page 4 of the printed bill by underlining the following words: "chiropractic, osteopathic, or sanipractic."

Amend Section 6, being line 28, page 4, of the printed bill by underlining the following words: "chiropractic, osteopathic, sanipractic," and the word "and."

Amend Section 7, being line 35 of page 4 of the printed bill by underlining the following words: "chiropractic, osteopathic, sanipractic,".

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 Bengtson, Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, Mehner, Miller, Morrow, Murfin, Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Thein, Thomas, Worum—27.

Those voting nay were: Senators Brunton, Dawson, Drumheller, Duggan, Garrett, Lovejoy, McMillan, Murphy (James A.), Norman, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Tewksbury, Todd—18.

Absent or not voting: Senators Barnes, Metcalf—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 that the Senate would refer back to the sixth order of business for the purpose of introducing bills.

#### INTRODUCTION OF BILLS.

**Engrossed House Bill No. 6**, by Representative McDonald (D. A.), entitled: "An Act relating to and providing for the acquisition, construction, maintenance and operation of systems of sewerage, and systems and plants for collection and disposal of refuse by cities, towns, counties, and sewerage improvement districts, providing for the payment therefor by revenue bonds and other bonds; providing for the securing of funds for such acquisition and construction from the Reconstruction Finance Corporation and from other agencies; providing for the establishment and collection of special service charges; and amending Chapter 39, Sections 1 to 7, of the Session Laws of 1931, and declaring an emergency, and 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, and referred to the Committee on Counties and County Boundaries.

**House Bill No. 56**, by Representative Boede, entitled: "An Act for the relief of H. H. Matteson and making an appropriation."

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 on Appropriations.

**Engrossed House Bill No. 58**, by Representative Sullivan, entitled: "An Act providing for the reassessment of timber lands by the cruise of standing timber thereon, prescribing the duties of certain officers in connection therewith and declaring that the act shall take effect immediately."

The bill was read the first time, and on motion of Senator Barnes the rules were suspended, the bill was read the second time by title, and referred to the Committee on Forestry and Logged-off Lands.

**Engrossed House Bill No. 71**, by Representative Cohen, entitled: "An Act providing for regulation of industrial relations and unemployment insurance; creating a fund therefor; authorizing certain officers to administer such fund under this act and requiring contributions to said fund, and making an appropriation therefor."

The bill was read the first time, and on motion of Senator Murphy (James A.) the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Welfare and Unemployment Relief.

**Engrossed House Bill No. 104**, by Representative Keen, entitled: "An Act to provide for a bridge across Columbia Slough from Puget Island in the Columbia River to Cathlamet, Wahkiakum County, and making the necessary appropriation therefor."

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

**Engrossed House Bill No. 120**, by Representatives Neal and Hales, entitled: "An Act relating to crimes and punishments, and amending Section 242 of Chapter 249 of Session Laws of 1909 (Section 2494 of Remington's Compiled Statutes or Remington's Revised Statutes), relating to Sabbath breaking 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.

**Engrossed House Bill No. 172**, by Representatives Parker and McDonald (D. A.), entitled: "An Act relating to the employment of teachers in the public schools of the State of Washington, providing for teacher tenure and fixing conditions under which employment may be terminated."

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 Education.

**House Bill No. 191**, by Representatives Leber and Christianson, entitled: "An Act relating to the organization of Port Districts, comprising an area less than the entire county, relating to the district elections therein, the officers thereof and their terms of office and the manner of holding and canvassing the returns of such election."

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 Elections and Privileges.

**Engrossed House Bill No. 220**, by Representative Martin, entitled: "An Act providing for the acceptance by the State of Washington of the benefits

of an act of Congress authorizing the Secretary of the Interior to arrange with states or territories for the education, medical attention, relief of distress, and social welfare of Indians, and providing that this act shall take effect immediately."

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

**House Bill No. 239**, by Representative Ford, entitled: "An Act providing for the survey of the Quillayute River, providing for the setting apart and donating for public use certain tide lands and making an appropriation for such purposes."

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 Harbors and Waterways.

**House Bill No. 261**, by Representatives Donahoe, Sullivan and Gessell, entitled: "An Act relating to elections and to precinct election boards and the appointment thereof; and validating certain town and school district elections; and amending Section 1, Chapter 29 of the Laws of Extraordinary Session of 1933; and declaring that this act shall take effect immediately; and adding a new section to be known as Section 1-a."

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 Elections and Privileges.

**Engrossed House Bill No. 271**, by Representative Yantis, entitled: "An Act defining the term 'auto transportation company' and amending Section 6387, subdivision (d), of Remington's Revised Statutes of Washington."

The bill was read the first time, and on motion of Senator Ronald 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. 277**, by Representative Sullivan, 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, designating the duties of certain officials; providing for relief and compensation for volunteer firemen; creating a board of trustees in each municipality for the maintenance and distribution of said fund; empowering municipalities to limit the membership of said volunteer fire departments, and requiring medical and physical examinations for members of said fire departments."

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 Municipal Corporations Other Than First Class.

**House Bill No. 286**, by Representative McDonald (D. A.) (by departmental request), entitled: "An Act providing that no bond shall be required of the State of Washington in any of the courts of this state."

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

**Engrossed House Bill No. 310**, by Representative Yantis, entitled: "An Act relating to taxation, providing revenues for support of the state government by means of a tax according to or measured by net income of national banks and national banking associations and a tax according to or measured by the net income of other banks and corporations for the exercise of the corporate franchise or the doing of business in the state, providing for the assessment, collection and distribution of such taxes, defining the powers and duties of certain officers with respect thereto, prescribing penalties, repealing Sections 28, 29, 30, 31, and 32, Chapter 130, Laws Extraordinary Session 1925, and all acts and parts of acts in conflict therewith and making appropriations."

The bill was read the first time, and on motion of Senator Bengtson 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. 376**, by Representatives Jones and Smith (B. L.), entitled: "An Act authorizing and directing the Department of Highways to make a survey and valuation of the toll bridge across the Columbia River at Brewster, Washington, on State Road No. 10 extension from the vicinity of Brewster to the vicinity of Coulee City, Washington, together with the approaches to said bridge which are not now a part of the primary highway system and providing for the purchase thereof by bargain and sale or by condemnation, or for the acquisition by purchase or condemnation of the necessary approaches and right-of-way for, and construction of, a new bridge at a feasible place near said toll bridge."

The bill was read the first time, and on motion of Senator Ronald 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. 419**, by Representative McDonald (D. A.), entitled: "An Act relating to finger-prints, and evidence and record thereof and to criminal procedure and to trials and judgments in criminal cases."

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

**Engrossed House Bill No. 425**, by Representatives Ott, McDonnell, Hurley, Ford, Clark, Drew, Wilson, Christianson, Titus, Gessell, Luck, Lynch, Sullivan, Hall, Huetter, Wingrove, Strickland, Neal, Haddon, Cowen, Lindgren, Todd, McDonald (D. A.), Easterday, Keen, McCarty, Hale and Yantis, entitled: "An Act relating to the welfare of minor children, their care, custody, control and adoption, and providing penalties and repealing Chapter 62 of the Laws of 1933."

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

**Engrossed House Bill No. 447**, by Representatives Mackie, Skinner and Twidwell, entitled: "An Act relating to local improvements in cities and towns, and amending Section 14 of Chapter 98 of the Laws of 1911, as amended by Section 2 of Chapter 97 of the Laws of 1929."

The bill was read the first time, and on motion of Senator Roland 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. 450**, by Judiciary Committee, entitled: "An Act relating to chattel mortgages, providing for the filing of copies of certain chattel mortgages with the secretary of state, declaring the effect of such filing, defining the duties of the secretary of state therewith, providing certain fees to be paid in connection therewith, and amending Section 3788 of Remington's Compiled Statutes, and adding two new sections numbered 3788-1 and 3788-2."

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

**Engrossed House Bill No. 477**, by Representative Neff, entitled: "An Act providing for the acquiring of forest lands by the state forest board and authorizing the issuance and disposition of \$300,000.00 of utility bonds of the State of Washington; amending Section 3-b of Chapter 288 of the Laws of 1927 and Section 1 of Chapter 117 of the Laws of 1933."

The bill was read the first time, and on motion of Senator Roland the rules were suspended, the bill was read the second time by title, and referred to the Committee on Forestry and Logged-off Lands.

**House Bill No. 509**, by Representative Kelley, entitled: "An Act relating to financing the sale of motor vehicles; prohibiting manufacturers and wholesale distributors thereof from controlling dealers with respect to the persons through whom motor vehicles are financed; and declaring certain acts crimes and providing for the punishment thereof."

The bill was read the first time, and on motion of Senator Gannon 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. 519**, by Representative Devenish, entitled: "An Act relating to motor vehicles and the license thereof; regulating the transportation of school children therein; and amending Section 1, Chapter 98, of the Session Laws of 1933."

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 Education.

**House Bill No. 525**, by Representative Austin, 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, the same being Section 7230-1 of Remington's Revised Statutes."

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

**House Bill No. 567**, by Representative Wilson, entitled: "An Act relating to the preservation of the identity of personal property by serial or manufacturer's number and prohibiting the acquisition, hypothecation, disposition, or displaying thereof if such number has been obliterated, defaced, altered, changed, or removed, and providing penalties."

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

**House Bill No. 571**, by Committee on Forestry and Logged Off Lands, entitled: "An Act for the protection of forests, the prevention and fighting of fires, changing the depository of forestry funds and decreasing the rate of assessment for purposes of taxation, and amending Sections 5794, 5806, of Remington's Compiled Statutes, Section 5785, Remington's Compiled Statutes of 1927, and Section 7, Chapter 40, Laws of 1931."

The bill was read the first time, and on motion of Senator Barnes the rules were suspended, the bill was read the second time by title, and referred to the Committee on Forestry and Logged Off Lands.

**Engrossed House Bill No. 605**, by Representative Skinner, entitled: "An Act reappropriating certain sums from the motor vehicle fund for the purpose of construction, improvement and/or maintenance of primary roads and secondary roads, and declaring that this act shall take effect immediately."

The bill was read the first time, and on motion of Senator Ronald, 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. 625**, by Committee on Game and Game Fish, entitled: "An Act relating to the extermination of cougar, wild-cat, lynx, coyote and timber wolf; for the payment of bounties where such animals were killed prior to June 7, 1933, 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, and referred to the Committee on Game and Game Fish.

**Engrossed House Bill No. 637**, by Representative Sandegren, entitled: "An Act relating to taxation, providing the means, method and manner of payment of taxes and declaring an emergency."

The bill was read the first time, and on motion of Senator Mehner, 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 Smith, Senate Bill No. 348 was considered as the next bill on the calendar.

#### GENERAL FILE.

**Senate Bill No. 348:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 348, entitled: "An Act relating to public roads in the State of Washington, and providing for the use of a portion of the receipts of the motor vehicle fund; creating the secondary highway fund; classifying the public roads in the state as primary and secondary roads; and providing how and by whom the same shall be administered; affecting the authority of state and county officials to perform work upon state roads by force account or day labor; amending Chapter 41 of the Laws of 1933 as amended by Chapter 168 of the Laws of 1933; repealing all acts in conflict herewith and re-enacting the provisions of Chapter 41 of the Laws of 1933 as amended by Chapter 168 of the Laws of 1933 except as amended herein; making appropriations 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 by striking everything after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That Section 1, Chapter 58 of the Laws of 1933, the same being Section 8327-1 of Remington's Revised Statutes, be amended to read as follows:

SECTION 1. Definitions. The following words, terms and phrases shall, whenever used in this act, have the meaning set forth in this section.

(a) "Motor vehicle" shall mean and include \* \* \* *every vehicle which is in itself a self-propelled unit, equipped with solid rubber, hollow-cushion rubber or pneumatic rubber tires and capable of being moved or operated upon a public highway: except motor vehicle as herein defined for the purposes of this chapter only shall not include industrial tractors and airplanes.*

(b) "Motor vehicle fuel" shall mean and include gasoline or any other inflammable liquid, by whatsoever name such liquid may be known or sold, the chief use of which is as a fuel for the propulsion of motor vehicles, motor boats or airplanes.

(c) "Distributor" shall mean and include every person, firm, association, or corporation who refines, manufactures, produces or compounds motor vehicle fuel, and sells, distributes, or in any manner uses the same in this state; also every person, firm, association or corporation who imports any motor vehicle fuel into this state and sells, distributes, or in any manner uses the same in this state whether in the original packages or containers in which it is imported or otherwise; also every person, firm, association or corporation who having acquired in this state in the original package or container, motor vehicle fuel, shall distribute or sell the same, whether in such original package or container in which the same was imported, or otherwise, or in any manner use the same.

(d) "Service station" is a place operated for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles.

(e) "Director." The director of licenses, State of Washington, or his duly authorized deputy or representative.

(f) "Department." The department of licenses of the State of Washington.

(g) "Dealer." Any person, as herein defined, engaged in the retail sale of liquid motor vehicle fuels.

(h) "Person." Every natural person, firm, partnership, association, or private or public corporation.

(i) "Highway." Every way or place of whatever nature open to the use of the public, as a matter of right, for purposes of vehicular travel.

(j) "Broker" shall mean and include every person, firm, association or corporation other than distributor, engaged in business as a broker, jobber or wholesale merchant dealing in motor vehicle fuel or other petroleum products used or usable in propelling motor vehicles, or in other petroleum products which may be used in blending, compounding or manufacturing of motor vehicle fuel.

(k) "Produced" shall mean and include every person, firm, association or corporation, other than a distributor, engaged in the business of producing motor vehicle fuel or other petroleum products used in, or which may be used in, the blending, compounding or manufacturing of motor vehicle fuel.

(l) "*Industrial Tractor.*" *Every motor vehicle as herein defined and used primarily as an industrial implement for drawing plows and other machines of husbandry; for logging; for highway and other construction purposes; as motive units in manufacturing or other plants and which said motor vehicle is not designed for use to transport persons or property on a public highway.*

Amend the title of the act by striking the entire title and inserting in lieu thereof the following:

AN ACT relating to an excise tax on gasoline and other inflammable liquids, and amending Section 1, Chapter 58 of the Laws of 1933, the same being Section 8327-1 of Remington's Revised Statutes.

W. G. RONALD, *Chairman.*

We concur in this report: Geo. H. Gannon, John H. Ferryman, Geo. F. McAulay, Horace E. Smith, Edmund J. Miller, C. Nifty Garrett, S. C. Roland, J. D. Bengtson, C. F. Stinson.

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

On motion of Senator Ronald, the committee amendments were adopted.

Senators Gannon, Ryan (J. H.) and Miller demanded the previous question.

The previous question was ordered.

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 Bengtson, Brunton, Dailey, Dawson, Drumbheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—40.

Those voting nay were: Senators Farquharson, Kyle, Murphy (James A.), Murphy (Kebel)—4.

Absent or not voting: Senators Barnes, Metcalf—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 Garrett, Substitute Senate Bill No. 226 was considered as the next bill on the calendar.

**Substitute Senate Bill No. 226**, by Senator Garrett, entitled: "An Act authorizing counties of the first class to convey to the United States government real and personal property for defense purposes; granting the consent of the state of such conveyance and ceding exclusive legislative jurisdiction to the United States over the land so conveyed, and providing that this act shall take effect immediately," was read the third time.

On motion of Senator Mehner, the following amendment was adopted:

Amend line 1 of the title of the printed bill by striking the words "of the first class."

On motion of Senator Mehner, the following amendment was adopted:

Amend Section 1, line 1 of the printed bill by striking the words "first class."

On motion of Senator Mehner, the following amendment was adopted:

Amend Section 2, line 9 of the printed bill, by striking the words "first class."

The Secretary called the roll on the final passage of Substitute Senate Bill No. 226, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumbheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—39.

Those voting nay were: Senators Farquharson, Murphy (Kebel), Ryan (Scott M.), Thomas—4.

Absent or not voting: Senators Barnes, Metcalf, 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.

On motion of Senator Maxwell, Substitute Senate Bill No. 70 was considered as the next bill on the calendar.

Senator Nugent moved that the further call of the Senate be dispensed with.

The motion by Senator Nugent lost.

**Substitute Senate Bill No. 70**, by Committee on Judiciary, 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 Sections 2 and 6, Chapter 69, Laws of 1923; amending said act by adding thereto a new section to be designated 14-a, and repealing Section 2 ½, Chapter 69, Laws of 1923; and providing that this act shall take effect immediately," was read the third time.

Senator Ryan (Scott M.) moved that Substitute Senate Bill No. 70 be indefinitely postponed.

Senators Todd, Miller, Drumheller, Maxwell, Kerstetter, Dailey, Ryan (Scott M.) and Keller demanded a roll call on the motion by Senator Ryan (Scott M.).

A roll call was ordered.

The Secretary called the roll on the motion by Senator Ryan (Scott M.), and the motion lost by the following vote:

Those voting aye were: Senators McAulay, Nelson, Peirce, Roland, Ryan (Scott M.), Thein, Thomas—7.

Those voting nay were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Todd, Worum—36.

Absent or not voting: Senators Barnes, Metcalf, Reardon—3.

Senator McAulay moved the adoption of the following amendment:

Strike the period at end of subsection (f), Section 2, and insert a comma and add: "or by a company exploring and drilling for oil and/or natural gas within the state."

Senator Kyle moved that the amendment by Senator McAulay be laid on the table without taking the bill with it.

The motion by Senator Kyle carried.

Senators Maxwell, Miller and Ryan (J. H.) demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 70, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—41.

Those voting nay were: Senators McAulay, Peirce, Roland—3.

Absent or not voting: Senators Barnes, Metcalf—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 McAulay moved that the further call of the Senate be dispensed with.

The motion by Senator McAulay lost.

On motion of Senator Gannon, the Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

**REPORTS OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., March 11, 1935.

Your Committee on Engrossed Bills to whom was referred Engrossed Substitute Senate Bill No. 228, entitled: "An Act fixing the salaries of certain state officers; repealing laws in conflict herewith; and declaring an emergency," have compared same with the original substitute bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., March 11, 1935.

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 340, entitled: "An Act relating to public roads in the State of Washington; abolishing the general road and bridge and lateral highway funds; providing for a credit and use of a portion of the receipts in the motor vehicle fund; creating a secondary highway fund; defining the powers and duties of certain state and county officials with respect to public roads; providing for certain records and reports; providing for the performance of work on certain public roads by force account or day labor; amending Section 18 of Chapter 163, Session Laws of 1929, as amended by Section 4 of Chapter 41, Session Laws of 1933, Section 6 of Chapter 38, Session Laws of 1929, as amended by Section 8 of Chapter 41, Session Laws of 1933, and Sections 6, 10, 14, 17, 21 and 22 of Chapter 41, Session Laws of 1933; repealing Chapter 168, Session Laws of 1933, and Sections 5, 12, 18, 19, 20 and 23 of Chapter 41, Session Laws of 1933, and acts in conflict herewith; and declaring an emergency and that this act shall take effect April 1, 1935," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., March 11, 1935.

We, your Committee on Banks and Banking, to whom was referred House Bill No. 674, entitled: "An Act relating to the granting of relief in certain cases during the emergency declared to exist, from inequitable foreclosure of mortgages on real estate and execution sales of real estate and for postponing certain sales and for extending the periods of redemption from certain others and relating to the jurisdiction and procedure for such relief and for the right to possession during the extended period, and for limiting the right to maintain actions for deficiency judgments, and for extending the expiration of certain periods of redemption to 30 days after the passage 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.

GEO. H. GANNON, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Judson W. Shorett, Geo. A. Lovejoy, Fred Norman, S. C. Roland.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

We, your Committee on Financial Institutions Other Than Banks, to whom was referred House Joint Resolution No. 25: "Relating to creating a committee to make an investigation and audit of the activities of the supervisor of savings and loan associations, and the supervisor of banking in the liquidation of defunct institutions over which each of said supervisors has charge," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it be re-referred to the Committee on Banks and Banking.

CHAS. H. TODD, *Chairman*.

We concur in this report: James Dailey, W. R. Orndorff, Paul Mehner, Geo. A. Lovejoy, W. J. Knutzen, J. W. Thein.

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

#### GENERAL FILE.

On motion of Senator Bengtson, the Senate considered Senate Bill No. 359 as the next bill on the calendar.

**Senate Bill No. 359**, by Senator Bengtson, entitled: "An Act relating to the apportionment of the state current school fund to the counties of the state for the use of the school districts within each county, amending Section 4873, Remington's Compiled Statutes, as amended by Section 5, Chapter 28, Laws of 1933," was read the third time.

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 Bengtson, Brunton, Dailey, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Thein, Thomas—34.

Those voting nay were: Senators Duggan, Malstrom, Nelson, Steele, Tewksbury, Todd—6.

Absent or not voting: Senators Barnes, Maxwell, Metcalf, Reardon, Smith, Worum—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 Ferryman, the Senate next considered Senate Bill No. 267 on the calendar.

**Senate Bill No. 267:**

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 28, 1935.

MR. PRESIDENT:

We, your Committee on Mines and Mining, to whom was referred Senate Bill No. 267, entitled: "An Act relating to the organization and administration of the state government and mines and mining, providing for the appointment of certain officers

and defining their powers and duties," 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, lines 10 and 11 of the original bill, the same being Section 1, lines 4 and 5 of the printed bill, by striking all material after the word "appoint" and inserting in lieu thereof the following: "a competent mining engineer having practical knowledge of the mineral resources and potential possibilities for development of the mining industry who shall have charge and supervision of the enforcement of this act."

Amend Section 1, page 2, line 17 of the original bill, the same being Section 1, page 2, line 5 of the printed bill, by striking the period after the word "Washington," inserting a comma and adding the following: "without cost to the department of conservation and development."

JOSEPH DRUMHELLER, *Chairman.*

We concur in this report: James Dailey, S. C. Roland, Horace E. Smith, W. G. Ronald, C. Nifty Garrett, W. R. Orndorff.

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

On motion of Senator Drumheller, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 267, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—39.

Absent or not voting: Senators Barnes, Farquharson, Gannon, Metcalf, Murphy (Kebel), Reardon, Tewksbury—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. 164:

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 26, 1935.

MR. PRESIDENT:

We, a part of your Committee on Agriculture, to whom was referred Senate Bill No. 164, entitled: "An Act relating to 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, and the sanitation of slaughtering establishments; defining offenses; providing penalties; authorizing the State Board of Health to make rules and regulations to carry out the provisions of this act; and making appropriation," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

D. E. McMILLAN, *Chairman.*

I concur in this report: Ed. Peirce.

SENATE CHAMBER,  
OLYMPIA, WASH., February 27, 1935.

MR. PRESIDENT:

We, a part of your Committee on Agriculture, to whom was referred Senate Bill No. 164, 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: J. D. Bengtson, W. J. Knutzen, Joseph Drumheller.

On motion of Senator McMillan, the reports of the committee were received and the bill was read the third time.

Senator Peirce moved that Senate Bill No. 164 be indefinitely postponed.

Senators Miller, Drumheller, Nugent, Malstrom, Ronald, Bengtson, Knutzen and Tewksbury demanded a roll call on the motion by Senator Peirce.

A roll call was ordered.

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

Those voting aye were: Senators Bengtson, Brunton, Drumheller, Duggan, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, McMillan, Mehner, Morrow, Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Smith, Steele, Stinson, Thein—26.

Those voting nay were: Senators Dailey, Dawson, Farquharson, Ferryman, Lovejoy, Malstrom, Maxwell, McAulay, Miller, Murfin, Murphy (James A.), Ronald, Shorett, Tewksbury, Thomas, Todd, Worum—17.

Absent or not voting: Senators Barnes, Metcalf, Reardon—3.

### Senate Bill No. 272:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., February 25, 1935.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred Senate Bill No. 272, entitled: "An Act relating to motor vehicles and providing for the use of safety glass thereon, and fixing a penalty for any 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 with the following amendments:

Amend Section 1, line 6 of the original bill, same being Section 1, line 1, of the printed bill, by striking "1935" and inserting in lieu thereof "1936."

Amend Section 1, line 10 of the original bill, same being Section 1, line 4 of the printed bill, by striking "1935" and inserting in lieu thereof "1936."

Amend by striking Section 2, beginning with word "the" and ending with word "broken," and inserting in lieu thereof the following section:

"Section 2. The term "safety glass" as used in this Act shall be construed to mean any glass so manufactured, fabricated or combined with other materials as substantially to prevent the shattering and flying of the glass when struck or broken."

Amend Section 4, line 27 of the original bill, same being line 18 of the printed bill, strike words "commission on equipment" and insert in lieu thereof the words "Director of licenses."

Amend Section 6, page 2, lines 11, 12 and 13 of the original bill, same being pages 1 and 2, line 23 of page 1, and lines 1 and 2 of page 2 of printed bill, by striking, after the word "misdemeanor" the following: "and shall be subjected to a fine of not less than twenty-five dollars (\$25.00), or not less than ten days in jail, or both."

ED. PEIRCE, *Chairman*.

We concur in this report: Geo. F. McAulay, Paul G. Thomas, S. C. Roland, Ralph Metcalf, J. H. Ryan.

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

On motion of Senator Peirce, the committee amendments were adopted.

The Secretary called the roll on the final passage of Senate Bill No. 272, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Knut-

zen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Worum—36.

Those voting nay were: Senators Murphy (Kebel), Ryan (Scott M.)—2.

Absent or not voting: Senators Barnes, Kerstetter, McAulay, Metcalf, Miller, Reardon, Tewksbury, 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. 328:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER.

OLYMPIA, WASH., March 10, 1935.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred Senate Bill No. 328, entitled: "An Act relating to term 'Street Car Bus,' and amending Section 6313 of Remington's Revised Statutes of Washington; fixing License fees for motor vehicles; repealing Section 6326 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 amendments:

Amend Section 2 by striking the whole section.

Amend the title as follows: after the word "Washington" change the semi-colon to a period and strike the balance of the title.

ED. PEIRCE, *Chairman.*

We concur in this report: Kebel Murphy, Paul G. Thomas, Ralph Metcalf, S. C. Roland, Geo. F. McAulay, J. H. Ryan.

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

On motion of Senator Peirce, the committee amendments were adopted.

On motion of Senator Murfin, the following amendment was adopted:

Strike Sections 3, 4, 5, 6, 7, 8 and renumber following sections in accord.

On motion of Senator Peirce, the following amendment was adopted:

Amend Section 9; strike entire Section 9, and renumber Section 10, Section 2.

The Secretary called the roll on the final passage of Senate Bill No. 328, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Worum—39.

Those voting nay were: Senators Ryan (Scott M.), Todd—2.

Absent or not voting: Senators Barnes, McAulay, Metcalf, Reardon, Tewksbury—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. 264**, by Senator Reardon, entitled: "An Act relating to motor vehicles and the license thereof; regulating the transportation of school children and/or students therein; and amending Chapter 98 of the Laws of 1933," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 264, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dalley, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—35.

Those voting nay were: Senators Nelson, Peirce, Roland, Ryan (Scott M.), Thomas—5.

Absent or not voting: Senators Barnes, McAulay, Metcalf, Miller, Murphy (Kebel), 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. 279:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Senate Bill No. 279, entitled: "An Act relating to marble games and games of skill; authorizing cities and counties to license the same, providing the fees collected shall be paid into the salary fund of the municipal corporation collecting the same; providing penalties and declaring an emergency, and repealing all laws or parts of laws in conflict therewith," 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 amendments:

Amend Section No. 2 as follows:

Add a subsection to Section 2 to be known as Subsection (a), to read as follows: "That before any person, firm, or corporation shall open up, operate and maintain such games as are herein defined, there shall be deposited in an accredited bank in the city or county wherein such games have been licensed, sufficient funds to insure the issuance of all merchandise certificates.

Any person, firm or corporation receiving a license from the county as provided by this act shall pay to the county issuing the license one-half of the net profits from the operation of such business to be made monthly and each person, firm or corporation receiving a license from a municipality shall pay to such municipality one-half of the net profits of such business, said payments to be made monthly. That all moneys received by such county or municipality shall be paid into the salary fund of the county or municipality receiving same."

Amend Section No. 4 by adding thereto a new section to be known as Section 4 (a) and to read as follows: "Each county issuing licenses as provided in this act, and each municipality within the State of Washington issuing a license as provided in this act, shall have an inspector who shall be charged with the primary responsibility of enforcing this act, and who shall be paid out of the gross receipts from the issuance of licenses."

J. H. RYAN, *Chairman.*

We concur in this report: Paul G. Thomas, P. Frank Morrow, W. J. Knutzen, Geo. H. Gannon.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was read the third time.

Senator Farquharson moved that Senate Bill No. 279 be indefinitely postponed.

Senators Miller, Ryan (J. H.), Farquharson, Kerstetter, Todd, Drumheller, Maxwell and Roland demanded a roll call on the motion by Senator Farquharson.

A roll call was ordered.

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

Those voting aye were: Senators Bengtson, Brunton, Dailey, Duggan, Farquharson, Ferryman, Keller, Knutzen, Kyle, Malstrom, Mehner, Murfin, Murphy (Kebel), Nelson, Nugent, Peirce, Ronald, Ryan (Scott M.), Smith, Steele, Stinson, Tewksbury, Thein, Worum—24.

Those voting nay were: Senators Dawson, Drumheller, Gannon, Garrett, Kerstetter, Lovejoy, Maxwell, McMillan, Miller, Morrow, Murphy (James A.), Norman, Orndorff, Roland, Ryan (J. H.), Shorett, Thomas, Todd—18.

Absent or not voting: Senators Barnes, McAulay, Metcalf, Reardon—4.

**Senate Bill No. 275**, by Senators Garrett, Lovejoy, Shorett and Stinson, entitled: "An Act relating to insurance, prescribing the standard form of policies of fire insurance in the state, amending Section 106, Chapter 49, Laws of 1911, as amended by Section 12, Chapter 177, Laws of 1915 (Section 7152, Remington's Revised Statutes)," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 275, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—35.

Those voting nay were: Senator Ryan (Scott M.)—1.

Absent or not voting: Senators Barnes, Ferryman, Kerstetter, Maxwell, McAulay, Metcalf, Miller, Reardon, Smith, 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.

**Senate Bill No. 251**, by Committee on Rules and Joint Rules (by request of State Liquor Board), entitled: "An Act relating to the state militia, providing for organization, regulation, maintenance and discipline of the National Guard of Washington, and amending Section 62 of Chapter 134 of the Laws of 1909, the same being Section 8508 of Remington's Revised Statutes, and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Senate Bill No. 251, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, Maxwell, Mehner, Miller, Murphy (James A.), Norman, Nugent, Orndorff, Roland, Shorett, Smith, Tewksbury, Thein, Todd, Worum—24.

Those voting nay were: Senators Brunton, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, McMillan, Morrow, Murfin, Murphy (Kebel), Nelson, Peirce, Ronald, Ryan (J. H.), Ryan (Scott M.), Steele, Stinson, Thomas—18.

Absent or not voting: Senators Barnes, McAulay, Metcalf, 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.

**Senate Bill No. 9:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,

OLYMPIA, WASH., February 11, 1935.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Senate Bill No. 9, entitled: "An Act relating to the payment of unpaid obligations of County Game Commissions from the State Game Fund and authorizing in proper cases payment thereof from said 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, being line 11 of page 1 of the original bill, same being line 6 of page 1 of the printed bill by striking the word "and" between the words "legal" and "valid" and inserting in lieu thereof a comma (,) and by inserting between the words "valid" and "obligations" the words "and enforceable."

Amend Section 1, being line 12 of page 1 of the original bill, same being line 7 of page 1 of the printed bill by striking the word "of" before the word "said," being the first word in the line and inserting in lieu thereof the word "against."

Geo. F. McAULAY, *Chairman.*

We concur in this report: L. E. Tewksbury, Geo. H. Gannon, Fred S. Duggan, Earl Maxwell, J. W. Thein, 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 McAulay, the committee amendments were adopted.

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 Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Todd, Worum—38.

Those voting nay were: Senators Farquharson, Ryan (Scott M.), Thein, Thomas—4.

Absent or not voting: Senators Barnes, McAulay, Metcalf, Roland—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 Maxwell, further call of the Senate was dispensed with.

On motion of Senator Orndorff, Senator Ronald was excused from session tomorrow.

At 11:57 o'clock p. m., on motion of Senator Peirce, the Senate adjourned until 11:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## FIFTY-EIGHTH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASH., Tuesday, March 12, 1935.

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

Reverend L. Wendell Taylor of the United Churches of Olympia offered prayer.

The Secretary called the roll, all members being present except Senator Ronald, who was excused, and Senators Nugent and Maxwell.

On motion of Senator Nelson, 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., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Substitute Senate Bill No. 226, entitled: "An Act authorizing counties to convey to the United States government real and personal property for defense purposes; granting the consent of the state of such conveyance and ceding exclusive legislative jurisdiction to the United States over the land so conveyed, and providing that this act shall take effect immediately," have compared same with the original substitute bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: W. C. Dawson, P. Frank Morrow.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 348, entitled: "An Act relating to an excise tax on gasoline and other inflammable liquids, and amending Section 1, Chapter 58 of the Laws of 1933, the same being Section 8327-1 of Remington's Revised Statutes," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman*.

We concur in this report: W. C. Dawson, P. Frank Morrow.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred House Bill No. 198, entitled: "An Act authorizing and directing the Washington State Highway

Department and the Department of Public Works to make a survey and valuation of the toll bridge across Sinclair's Inlet from Bremerton to East Bremerton and providing for the purchase of said toll bridge by the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.  
*W. G. RONALD, Chairman.*

We concur in this report: John H. Ferryman, C. Nifty Garrett, D. E. McMillan, Geo. F. McAulay, H. L. Nelson, J. D. Bengtson, S. C. Roland, J. P. Keller, J. W. Thein.

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

SENATE CHAMBER,  
 OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Elections and Privileges, to whom was referred House Bill No. 191, entitled: "An Act relating to the organization of Port Districts, comprising an area less than the entire county, relating to the district elections therein, the officers thereof and their terms of office and the manner of holding and canvassing the returns of such election," 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: J. P. Keller, Fred S. Duggan, P. Frank Morrow, H. L. Nelson, J. A. Murphy, J. Drumheller.

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

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

The Speaker has signed House Concurrent Resolution No. 16; also House Bill No. 39; also The House has passed Engrossed House Bill No. 237; and the same are herewith transmitted.  
*S. R. HOLCOMB, Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed House Bill No. 582, and passed the bill as amended by the said Conference Committee.  
*S. R. HOLCOMB, Chief Clerk*

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed Substitute House Bill No. 483, and asks that the Senate recede therefrom, and the said bill is herewith transmitted.  
*S. R. HOLCOMB, Chief Clerk.*

Senator Stinson moved that the Senate do not recede from the Senate amendments to Engrossed Substitute House Bill No. 483, and ask for a conference committee thereon.

The motion by Senator Stinson carried.

Senators Roland, Gannon and Ferryman 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 Gannon, the Senate proceeded under the call of the Senate.

The President signed House Concurrent Resolution No. 16 and House Bill No. 39.

#### GENERAL FILE.

#### Engrossed House Bill No. 370:

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 9, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed House Bill No. 370, entitled: "An Act relating to the Washington Emergency Relief Administration; making an appropriation, and creating 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, lines 8 and 9 of the original bill, same being line 2 of the printed bill, by striking the words "five thousand dollars (\$5,000)" and inserting in lieu thereof the following: "twenty five thousand dollars (\$25,000)."

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Scott M. Ryan, W. C. Dawson, G. B. Kerstetter, Ed. Peirce, James A. Murphy, Kathryn E. Malstrom, Geo. H. Gannon.

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

On motion of Senator Gannon, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 370.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Miller, the committee amendment read in the committee of the whole was adopted.

On motion of Senator Ryan (J. H.), the following amendment made in the committee of the whole was adopted:

Amend the title by striking the word "creating" and substituting in lieu thereof the word "declaring."

Senator Farquharson 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. 370, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Maxwell, Nelson, Nugent, Ronald—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. 176**, by Committee on Appropriations, entitled: "An Act appropriating the sum of one hundred twenty-four thousand dollars (\$124,000:00), or so much thereof as may be necessary, for the payment of salaries and wages at the State College of Washington and declaring an emergency."

On motion of Senator Ferryman, the Senate resolved itself into a committee of the whole to consider House Bill No. 176.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Ferryman, the following amendment made in the committee of the whole was adopted:

Amend Section 1, line 4 of the printed bill by striking the period (.) at the end of the section, and inserting a comma (,) and add the following: "provided none of the amount hereby appropriated shall be used to pay any salary or wage in excess of two hundred and fifty (\$250.00) dollars per month."

Senator Farquharson 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. 176, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Farquharson, Gannon, Garrett, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Mehner, Metcalf, Miller, Morrow, Murphy (Kebel), Norman, Peirce, Roland, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury—28.

Those voting nay were: Senators Drumheller, Duggan, Ferryman, Keller, Kerstetter, McMillan, Murfin, Murphy (James A.), Nelson, Orndorff, Rear-don, Ryan (Scott M.), Thein, Thomas, Todd, Worum—16.

Absent or not voting: Senators Nugent, Ronald—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 Murfin, the Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read:

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 267, entitled: "An Act relating to mines and mining and the organization and administration of the state government, providing for the appointment of certain

officers and defining their powers and duties," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 272, entitled: "An Act relating to motor vehicles and providing for the use of safety glass thereon, and fixing a penalty for any violation thereof," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 328, entitled: "An Act defining the term 'Street Car Bus,' and amending Section 6313 of Remington's Revised Statutes of Washington; and declaring an emergency," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 9, entitled: "An Act relating to the payment of unpaid obligations of County Game Commissions from the State Game Fund and authorizing in proper cases payment thereof from said fund," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman*.

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

The House has passed:  
Second Substitute House Bill No. 76; also  
House Bill No. 98; also  
House Bill No. 257; also  
House Bill No. 306; also  
House Bill No. 311; also  
House Bill No. 349; also  
Substitute House Bill No. 415; also  
House Bill No. 468; also  
House Bill No. 533; also

House Bill No. 552; also  
 House Bill No. 586; also  
 House Bill No. 617; also  
 House Bill No. 622; also  
 House Bill No. 626; also  
 House Bill No. 641; also  
 House Bill No. 647; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President stated that the Senate would refer back to the sixth order of business for the purpose of introducing bills.

#### INTRODUCTION OF BILLS.

**Engrossed House Bill No. 208**, by Representative Neff, entitled: "An Act relating to manufacturing, sale and distribution of concentrated commercial feeding stuff, commercial fertilizer and livestock remedies and defining the powers and duties of the Director of Agriculture in relation thereto; providing for a chemist and an assistant chemist; defining the duties of the chemist and his assistant; providing for the registration, inspection and sampling of concentrated commercial feeding stuffs, commercial fertilizers and livestock remedies; providing for brands of concentrated commercial feeding stuffs, commercial fertilizers and livestock remedies; defining 'manufacturer,' 'importer,' 'mixer,' 'distributor,' 'agent' and 'vendor;'' making an appropriation for the administration of this act; granting jurisdiction to the courts for trial and conviction for any violation of this act; defining domestic birds, domestic fowl and domestic animals; defining standard sack; requiring labels and other information; regulating advertising of other than standard sacks; providing for sale and regulation of use of leather as fertilizer; providing for hay and alfalfa mixes; providing for the sale of commercial fertilizers, 'alfalfa leaves,' 'buds,' or 'blossoms;'' providing for use of second-hand sacks; making unlawful the inclusion of certain by-products in concentrated commercial feeding stuffs; providing for repeal of acts or parts of acts in conflict herewith."

The bill was read the first time, and on motion of Senator Ryan (Scott M.), the rules were suspended, the bill was read the second time by title, and referred to the Committee on Dairy and Live Stock.

**Engrossed House Bill No. 265**, by Representative Yantis, entitled: "An Act requiring and providing for the qualification of foreign corporations to do business in this state; providing for and requiring payment of filing and license fees for both domestic and foreign corporations; providing additional fees for late payment; prescribing the duties of certain officials in aid of the collection thereof; providing they shall be preferred claims and constitute a lien on corporate assets; repealing certain acts and all other inconsistent acts and declaring an emergency."

The bill was read the first time, and on motion of Senator Bengtson 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. 237**, by Representative Yantis, entitled: "An Act relating to revenue and taxation; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in business activities; providing for the levy and collection of a tax or excise upon retail sales; providing for levy and collection of tax upon admissions to any place; provid-

ing for levy and collection of tax upon inheritances and gifts; providing for tax upon liquor; providing for tax upon stock transfers; providing for tax upon persons operating commercial radio stations; providing the necessary administrative machinery for the collection and enforcement thereof; providing for certain exemptions and deductions; declaring certain acts in connection therewith unlawful and providing penalties; making appropriations; providing for the distribution of revenue derived hereunder; providing for shortening the operative period of Chapter 191, Laws of 1933, as amended; providing for the amendment of Sections 1, 2, 8, 12, 13, 15 and 18, Chapter 55, Laws of 1901, as amended, Section 4, Chapter 146, Laws of 1917, as amended, Section 95, Chapter 156, Laws of 1917, as amended, Section 5, Chapter 205, Laws of 1929, and Sections 4 and 7, Chapter 134, Laws of 1931; providing for the repeal of Section 1, Chapter 135, Laws of 1929, Sections 1 and 2, Chapter 202, Laws of 1929, as amended, and Section 1, Chapter 134, Laws of 1931; declaring an emergency and that this act shall take effect immediately."

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

**Second Substitute House Bill No. 76**, by Committee on Labor and Labor Statistics, entitled: "An Act prohibiting employers from requiring employees to submit to certain conditions before employment, and providing penalties therefor."

The bill was read the first time, and on motion of Senator Ryan (J. H.), 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. 98**, by Representative Gardner, entitled: "An Act relating to vehicles and regulating the operation thereof upon the highways of this state; providing for rules of the road; defining offenses and fixing penalties and amending Section 41 of Chapter 309 of the Laws of 1927."

The bill was read the first time, and on motion of Senator Ronald 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. 257**, by Representative Strickland, entitled: "An Act relating to the jurisdiction and authority in criminal matter of Justices of the Peace in Class A Counties, and amending Chapter 4 of the Laws of Extraordinary Session of 1933."

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

**House Bill No. 306**, by Representative McCarty, entitled: "An Act relating to the system of registration and the method of reporting births and deaths, the issuance of permits for burial, removal, or transportation of bodies of deceased persons, prescribing certain rules of evidence, and amending Section 11 of Chapter 180 of the Laws of 1915, as found in Remington's Revised Statutes, 6037."

The bill was read the first time, and on motion of Senator Nugent 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. 311**, by Representative Yantis, entitled: "An Act permitting public service companies engaged in interstate commerce to withdraw from certain kinds of business and providing that this act shall take effect immediately."

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

**House Bill No. 349**, by Representatives Reeves, Adams, McDonald (D. A.) and Murray, entitled: "An Act relating to and regulating the possession, transportation, treatment and disposition of dead human bodies, the licensing of funeral directors and embalmers, regulating conduct in relation thereto, making an appropriation, providing penalties for violation thereof, and repealing all acts and parts of acts in conflict therewith."

The bill was read the first time, and on motion of Senator Nugent 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.

**Substitute House Bill No. 415**, by Committee on Commerce and Manufacturing, entitled: "An Act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act; and repealing all laws or parts of laws in conflict herewith."

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. 468**, by Representative Richmond, 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 of acts or parts of acts in conflict therewith."

The bill was read the first time, and on motion of Senator Nugent 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. 533**, by Committee on Forestry and Logged-Off Lands, entitled: "An Act providing for the zoning of forest areas, defining certain terms, providing for restrictions on the use and occupancy thereof for other than forest purposes and providing penalties for unauthorized use and occupancy."

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

**House Bill No. 552**, by Representative Johnson (W. A.) (by departmental request), entitled: "An Act relating to depositaries for public funds and amending Sections 5548, 5549 and 5551, Remington's Revised Statutes."

The bill was read the first time, and on motion of Senator Gannon 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. 586**, by Committee on Rural Credits and Agricultural Development (by executive request), entitled: "An Act authorizing boards of county commissioners to sell, convey or donate, and enter into options and contracts to sell county lands, to the United States or the State of Washington, 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, and referred to the Committee on Counties and County Boundaries.

**House Bill No. 617**, by Representative Reilly, entitled: "An Act relating to State Liquor Control Board, its powers and duties, and repealing all acts in conflict."

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. 622**, by Representative Drew, entitled: "An Act relating to the jurisdiction and authority in criminal matters of constables of incorporated cities and towns, and of country precincts in Class 'A' counties."

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

**House Bill No. 626**, by Committee on Industrial Insurance (departmental request), entitled: "An Act relating to the compensation of injured workmen and their dependents, providing for the liability of employers in certain cases, amending Section 18 of Chapter 74 of the Laws of 1911, page 367, as amended by Section 19 of Chapter 28 of the Laws of 1917, as amended by Section 3 of Chapter 67 of the Laws of 1919, page 136; and declaring an emergency."

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

**House Bill No. 641**, by Representative Reeves, entitled: "An Act relating to the state institutions of higher education and providing for the annual levy of taxes to produce revenue therefor."

The bill was read the first time, and on motion of Senator Mehner 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. 647**, by Committee on Reclamation and Irrigation, entitled: "An Act relating to underground waters, declaring the same to belong to the public, providing for their appropriation for beneficial purposes and requiring a record of the rights thereto."

The bill was read the first time, and on motion of Senator Knutzen 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 Kyle, further call of the Senate was dispensed with.

At 12:35 o'clock p. m., on motion of Senator Peirce, the Senate recessed until 2:00 o'clock p. m.

**AFTERNOON SESSION.**

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The Senate reconvened at 2:00 o'clock p. m., President Meyers in the chair.

At 2:05 o'clock p. m., on motion of Senator Murphy (Kebel), the Senate recessed until 3:00 o'clock p. m.

**MID-AFTERNOON SESSION.**

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The Senate reconvened at 3:00 o'clock p. m., President Meyers in the chair.

The President stated that the Senate would refer 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 12, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 79, entitled: "An Act relating to industrial insurance and the care of injured workmen and amending Sections 7687, 7703 and 7726 of Remington's Compiled Statutes and Sections 7686, 7712, 7714 and 7725 of Remington's 1927 Supplement," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

**REPORTS OF STANDING COMMITTEES.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Engrossed House Bill No. 605, entitled: "An Act reappropriating certain sums from the motor vehicle fund for the purpose of construction, improvement and/or maintenance of primary roads and secondary roads, 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.

H. L. NELSON, *Vice Chairman.*

We concur in this report: John F. Worum, S. C. Roland, Fred Norman, C. F. Stinson, C. Nifty Garrett, Horace E. Smith, Geo. F. McAulay, J. D. Bengtson, J. P. Keller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Engrossed House Bill No. 376, entitled: "An Act authorizing and directing the Department of Highways to make a survey and valuation of the toll bridge across the Columbia River at Brewster, Washington, on State Road No. 10 extension from the vicinity of Brewster to the vicinity of Coulee City, Washington, together with the approaches to said bridge which are not now a part of the primary highway system and providing for the purchase thereof by bargain and sale or by condemnation, or for the acquisition by purchase or condemnation of the necessary approaches and right-of-way for, and construction of, a new bridge at a feasible place near said toll bridge," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

H. L. NELSON, *Vice Chairman*.

We concur in this report: J. W. Thein, D. E. McMillan, Geo. F. McAulay, S. C. Roland, C. F. Stinson, C. Nifty Garrett, J. D. Bengtson, John F. Worum, J. P. Keller, Fred Norman.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Engrossed House Bill No. 271, entitled: "An Act defining the term 'auto transportation company' and amending Section 6387, sub-division (d), of Remington's Revised Statutes of Washington," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

H. L. NELSON, *Vice Chairman*.

We concur in this report: J. W. Thein, D. E. McMillan, Geo. F. McAulay, S. C. Roland, C. F. Stinson, C. Nifty Garrett, J. D. Bengtson, John F. Worum, J. P. Keller, Fred Norman.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Forestry and Logged Off Lands, to whom was referred Engrossed House Bill No. 477, entitled: "An Act providing for the acquiring of forest lands by the state forest board and authorizing the issuance and disposition of \$300,000.00 of utilities bonds of the State of Washington; amending Section 3-b of Chapter 288 of the Laws of 1927 and Section 1 of Chapter 117 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.

F. G. BARNES, *Chairman*.

We concur in this report: D. E. McMillan, K. W. Reardon, J. D. Bengtson, Scott M. Ryan, J. W. Thein.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Forestry and Logged Off Lands, to whom was referred House Bill No. 571, entitled: "An Act for the protection of forests, the prevention and fighting of fires, changing the depository of forestry funds and decreasing the rate of assessment for purposes of taxation, and amending Sections 5794, 5806, of Remington's Compiled Statutes, Section 5785, Remington's Compiled Statutes of 1927, and

Section 7, Chapter 40, 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.

F. G. BARNES, *Chairman*.

We concur in this report: D. E. McMillan, K. W. Reardon, J. D. Bengtson, Scott M. Ryan, J. W. Thein.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Forestry and Logged Off Lands, to whom was referred House Bill No. 533, entitled: "An Act providing for the zoning of forest areas, defining certain terms, providing for restrictions on the use and occupancy thereof for other than forest purposes and providing penalties for unauthorized use and occupancy," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

F. G. BARNES, *Chairman*.

We concur in this report: D. E. McMillan, K. W. Reardon, J. D. Bengtson, Scott M. Ryan, J. W. Thein.

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

A majority of the Committee on Revenue and Taxation recommended that House Bill No. 291 do pass.

A minority of the Committee on Revenue and Taxation recommended that House Bill No. 291 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., March 12, 1935.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference committee on Engrossed Substitute House Bill No. 483 and the Speaker has appointed Representatives Van Dyk, Skinner and Devenish as members thereon.

S. R. HOLCOMB, *Chief Clerk*

The President appointed as Senate members of the conference committee on Engrossed Substitute House Bill No. 483, Senators Roland, Keller and Smith.

Senators Murphy (Kebel), Ferryman and Lovejoy 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 Ferryman, the Senate proceeded under the call of the Senate.

On motion of Senator Maxwell, further call of the Senate was dispensed with.

At 3:25 o'clock p. m., on motion of Senator Maxwell, the Senate recessed until 7:30 o'clock p. m.

**EVENING SESSION.**

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The Senate reconvened at 7:30 o'clock p. m., President Meyers in the chair.

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., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Municipal Corporations Other Than First Class, to whom was referred Engrossed House Bill No. 277, 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, designating the duties of certain officials; providing for relief and compensation for volunteer firemen; creating a Board of Trustees in each municipality for the maintenance and distribution of said fund; empowering municipalities to limit the membership of said volunteer fire departments, and requiring medical and physical examinations for members of said fire department," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

EARL MAXWELL, *Chairman.*

We concur in this report: J. P. Keller, John H. Ferryman, F. G. Barnes, Fred Norman, H. I. Kyle.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Counties and County Boundaries, to whom was referred House Bill No. 586, entitled: "An Act authorizing boards of county commissioners to sell, convey or donate, and to enter into options and contracts to sell county lands, to United States or the State of Washington, 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.

J. P. KELLER, *Chairman.*

We concur in this report: John F. Worum, Geo. F. McAulay, Fred Norman, S. C. Roland.

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

The Committee on Mines and Mining recommended that House Bill No. 436 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 11, 1935.

MR. PRESIDENT:

The House has passed Engrossed Substitute House Bill No. 23; also Engrossed Substitute House Bill No. 60; also Engrossed House Bill No. 273; also Engrossed House Bill No. 433; also Engrossed House Bill No. 437; also

Engrossed House Bill No. 464; also  
 Engrossed Substitute House Bill No. 500; also  
 The House has passed:  
 Engrossed House Bill No. 529; also  
 Engrossed House Bill No. 604; also  
 Engrossed House Bill No. 644; also  
 Engrossed House Bill No. 664; also  
 Engrossed House Bill No. 656; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

The House has passed Senate Bill No. 353 with the following amendments:

Amend the title by striking the whole thereof, and inserting in lieu thereof the following:

"An Act relating to intoxicating liquors, amending Section 78 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington (Section 7306-78, Rem. Rev. Stat.) and declaring that this act shall take effect immediately."

Amend the bill by striking all the matter after the enacting clause and substituting in lieu thereof the following:

"SECTION 1. That Section 78 of Chapter 62 of the Laws of the Extraordinary Session of 1933 (Section 7306-78, Rem. Rev. Stat.) be and the same is hereby amended to read as follows:

"Section 78. 1. When said funds are distributed as provided in Section 77 hereof all moneys subject to distribution shall be disbursed as follows: \* \* \* \*

*"Funds available for distribution to and including September 30, 1935; fifty per cent (50%) to the general fund of the state and fifty per cent (50%) to the counties and incorporated cities and towns of the state, distributed among them pursuant to the provisions hereafter made in this section.*

*"Funds available for distribution on and after October 1, 1935, seventy per cent (70%) to the general fund of the state and thirty per cent (30%) to the counties and incorporated cities and towns of the state, distributed among them pursuant to the provisions hereafter made in this section.*

"2. With respect to the share coming to the counties and incorporated cities and towns under the preceding subsection, the distribution shall be among them in accordance with the following computations:

"a. First, the share coming to each county as a whole shall be determined by a division among the counties entitled to distribution hereunder according to the population of the areas in such counties allowing the sale of liquor under this act as shown by the last federal census; that is to say, the share coming to each county entitled to distribution hereunder shall be in the proportion which the population of the areas allowing the sale of liquor under this act in such county bears to the aggregate population of all the counties entitled to distribution hereunder.

"b. Second, the share coming to each county as a whole, is the result of the foregoing computation, shall then be divided between each county government and the incorporated cities and towns located in such county according to the population shown by the last federal census; that is to say, the share coming to each incorporated city or town shall be as the proportion which the population in such incorporated city or town, as shown by the last federal census, bears to the total population within the county, as shown by the last federal census; and the county government's share shall be based upon that proportion of the population within such county as is not included in the incorporated cities and towns located in such county: *Provided*, That no incorporated city or town in which the sale of liquor as authorized under this act is forbidden under sections 82 to 88 inclusive of this act shall be entitled to any share in such distribution: *Provided, further*, That if in any county the area outside of the cities and towns therein shall vote not to allow the sale of liquor under this act in such area, then the population of such area shall not be included in the computation of the population for distribution purposes.

"3. The computations under subsections 2 of this section shall be made by the state auditor, who shall, immediately after the effective date of this act and immediately following the official publication of every federal census and so often as necessary by reason of elections held under Sections 82 to 88 of this act, file with the

board a list certified by him showing the fractional proportions, in terms of per cent or otherwise, coming to each county government and incorporated city and town in the state pursuant to this section; and the board shall make payment to each of said counties and incorporated cities and towns in the proportions shown on the certified list last filed with it by the state auditor under this section.

"SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately."  
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Lovejoy moved that the Senate concur in the House amendments to Senate Bill No. 353.

The motion by Senator Lovejoy carried.

The Secretary called the roll on the final passage of Senate Bill No. 353, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Kerstetter, Kyle, Lovejoy, McAulay, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—34.

Those voting nay were: Senator Ryan (Scott M.)—1.

Absent or not voting: Senators Farquharson, Gannon, Knutzen, Malmstrom, Maxwell, McMillan, Miller, Nugent, Peirce, Reardon, Roland—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 GOVERNOR.

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 12, 1935.

*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. 149: "An Act relating to the rate of interest to be paid by state depositaries upon moneys deposited by the commissioner of public lands and amending Section 4, Chapter 51 of the Laws of 1911 (Section 5558, Remington's Revised Statutes) and declaring an emergency."

Senate Bill No. 151: "An Act providing for the investment of the Permanent School fund, the permanent funds of the normal schools, state university, scientific school, agricultural college, charitable, educational, penal and reformatory institutions, and declaring an emergency."

Senate Bill No. 152: "An Act relating to the General Obligation Bonds of 1933 Retirement Fund, providing that money in said fund may be invested in United States government treasury certificates, notes and bonds or in General Obligation Bonds of 1933 of the State of Washington by the state finance committee and declaring an emergency."

Senate Bill No. 182: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the State Fair Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 183: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Charitable Educational Penal and Reformatory Institution 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, 1935."

Senate Bill No. 184: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the University 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, 1935."

Senate Bill No. 185: "An Act transferring certain moneys in, and to be paid into the permanent Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 186: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Highway Safety Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 188: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Auto Title Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 189: "An Act establishing a fund in the state treasury to be known as the Federal Experiment Station Fund, transferring certain moneys in and to be paid into the state treasury and abolishing the Adams, Hatch and Purnell Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 190: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Shoreland Improvement Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 191: "An Act establishing a fund in the state treasury to be known as the Federal Co-operative Agricultural Extension Fund, transferring certain moneys in and to be paid into the state treasury and abolishing the Smith-Lever and Capper-Ketcham Funds, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 192: "An Act transferring certain moneys in the Lateral Highway Fund in the state treasury, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 194: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Guaranteed Interest Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 195: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Scientific School 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, 1935."

Senate Bill No. 198: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Alaska Yukon Pacific Exposition Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 200: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Agricultural 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, 1935."

Senate Bill No. 201: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Federal Vocational Rehabilitation Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Very truly yours,

RICHARD HAMILTON,

*Secretary to the Governor.*

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 12, 1935.

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

LADIES AND GENTLEMEN:

I am returning herewith, without my approval, Senate Bill No. 203, entitled: "An Act transferring certain monies in and to be paid into the state treasury and abolishing the Lewis River Hatchery Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 203 abolishes the Lewis River Hatchery Fund. It is one of a series of bills prepared and introduced in an effort to reduce the number of unnecessary funds in the state treasury. With the purpose of this series of bills I heartily concur.

However, further consideration has shown that it would be dangerous to the best interests of the state to abolish the Lewis River Hatchery Fund. This fund was created by Chapter 123, Laws of 1933, to receive monies payable to the state under a certain contract between the state and the Inland Power and Light Company, dated October 31st, 1931. The contract itself mentions the creation of such a fund. The point has been raised that the state is obligated under said contract to maintain such fund. Such point is admittedly a doubtful one. However, it seems to me that since the question has been raised as to the right of the state to abolish such fund that the best interests of the state would require that such fund be maintained rather than that the state be subjected to possible litigation which might arise from the abolition of such fund.

I am informed that the proponents of this bill, after being advised of the above mentioned objections, also believe that the bill should not become a law.

For the foregoing reasons Senate Bill No. 203 is vetoed.

Respectfully submitted,  
CLARENCE D. MARTIN,  
*Governor.*

Senator Norman moved that the veto message be spread on the journal and that the bill be referred to the Committee on Rules and Joint Rules.

The motion by Senator Norman carried.

#### INTRODUCTION OF BILLS.

**Engrossed Substitute House Bill No. 23**, by Committee on Public Utilities, entitled: "An Act relating to the creation, government and maintenance of Fire Protection Districts outside of cities and towns, prescribing the objects and powers of such districts, defining the duties and authority of certain officers in relation thereto, providing for the levy and collection of taxes and assessments against the lands within the district, authorizing the issuance and disposal of district warrants, and declaring that this act shall take effect immediately, and repealing Chapter 60 of the Laws of Extraordinary Session 1933."

The bill was read the first time, and on motion of Senator Peirce 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. 60**, by majority of Committee on Appropriations, entitled: "An Act providing assistance for blind students attending state institutions of higher learning within the State of Washington; appropriating money therefor; 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 on Appropriations.

**Engrossed House Bill No. 273**, by Representatives Strickland, Wilson and Austin, entitled: "An Act amending Sections 533, 552 and 553, Remington's Revised Statutes of Washington, providing for a homestead of the value of not more than two thousand dollars (\$2,000), providing for the exemption thereof from taxation and assessment and from sale, defining 'head of family,' and repealing all acts and parts of acts in conflict therewith."

The bill was read the first time, and on motion of Senator Thein the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Welfare and Unemployment Relief.

**Engrossed House Bill No. 433**, by Representative Keen, entitled: "An Act granting equitable powers to the courts to fix upset prices before selling mortgaged property on execution, and confirming such sale; and amending Section 1118, of Remington's Compiled Statutes."

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

**Engrossed House Bill No. 437**, by Representative Schroeder, entitled: "An Act requiring owners and operators of motor vehicles to pay fees for the establishment of a motor vehicle liability insurance policy for the purpose of compensating persons injured by vehicles."

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

**Engrossed House Bill No. 464**, by Representative Schultz, entitled: "An Act relating to the establishment of a state game fund and disbursements therefrom, and amending Section 31, Chapter 3, Laws of 1933 (Section 5884\*, Remington's Revised Statutes of Washington)."

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

**Engrossed Substitute House Bill No. 500**, by Committee on Agriculture, entitled: "An Act relating to the branding and identification of livestock; providing for the administration of same; providing penalties for the violation thereof; providing for the publishing of records of such tattoo marks and brands; providing for fees for the registration thereof; making an appropriation; and providing for the cancellation of existing brands."

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

**Engrossed House Bill No. 529**, by Representative Bohlke, entitled: "An Act relating to horticulture, amending Sections 1, 2, 11 and 20 of Chapter 166 of the Laws of 1915 as subsequently amended."

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 Horticulture.

**Engrossed House Bill No. 604**, by Representative Dixon, entitled: "An Act for the relief of Al Meyers 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 on Appropriations.

**Engrossed House Bill No. 644**, by Representative Reeves, entitled: "An Act relating to and providing for assistance to blind persons, prescribing the powers and duties of certain officers in connection therewith, repealing Chapter 102, Laws of 1933, prescribing penalties and declaring its effective date."

The bill was read the first time, and on motion of Senator Miller the rules were suspended, the bill was read the second time by title, and referred to the Committee on Public Welfare and Unemployment Relief.

**Engrossed House Bill No. 656**, by Committee on Reclamation and Irrigation, entitled: "An Act relating to the powers of the commission for the development of the Columbia Basin project; defining its powers and duties; amending Section 2 of Chapter 81 of the Session Laws of 1933; and declaring an emergency."

The bill was read the first time, and on motion of Senator Thein 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. 664**, by Representatives Brown, Martin (F. J.), Hurley, McCarty, Drew, Boyle, Parker, Keen, Klemgard, Dixon, Bice and Cohen, entitled: "An Act relating to sales of property under execution, decrees and orders of sale, and redemption therefrom, amending Section 8 of Chapter LIII of Session Laws of 1899 (Section 595 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 Gannon the rules were suspended, the bill was read the second time by title, and referred to the Committee on Financial Institutions Other Than Banks.

#### GENERAL FILE.

**Engrossed House Joint Memorial No. 32:** "Relating to the apple industry of the State of Washington," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Joint Memorial No. 32, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Lovejoy, McAulay, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—35.

Those voting nay were: Senators Kyle, Ryan (Scott M.)—2.

Absent or not voting: Senators Farquharson, Knutzen, Malstrom, Maxwell, McMillan, Miller, Nugent, Roland, Stinson—9.

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

**Engrossed House Bill No. 590**, by Committee on Printing, entitled: "An Act relating to public printing and the compensation to be paid therefor, and amending Sections 10329, 10330 and 10333, Remington's Revised Statutes and repealing Section 10332, Remington's Revised Statutes," was read the third time.

On motion of Senator Thomas, the following amendment was adopted:

Amend Sec. 3, page 3, line 7 of the printed bill; insert a comma (,) in place of the period (.) and add "in union shops."

The Secretary called the roll on the final passage of Engrossed House Bill No. 590, as amended and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dailey, Drumheller, Duggan, Farquharson, Garrett, Keller, Kerstetter, Kyle, Lovejoy, McAulay, Mehner, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—32.

Those voting nay were: Senators Dawson, Ferryman—2.

Absent or not voting: Senators Bengtson, Gannon, Knutzen, Malstrom, Maxwell, McMillan, Metcalf, Miller, Nugent, Reardon, Roland, Smith—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.

**Re-engrossed House Bill No. 498**, by Representative Yantis (by departmental request), entitled: "An Act relating to taxation, prescribing the powers and duties of the tax commission of the State of Washington, amending Section 2, Chapter 115, Laws of 1905, as amended by Section 1, Chapter 220, Laws of 1907, and declaring that the act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Re-engrossed House Bill No. 498, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thomas, Todd—30.

Those voting nay were: Senators Brunton, Dailey, Dawson, Metcalf, Nugent, Reardon, Thein, Worum—8.

Absent or not voting: Senators Ferryman, Knutzen, Malstrom, Maxwell, McAulay, McMillan, Roland, Smith—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. 290**, by Representative Yantis (by departmental request), entitled: "An Act relating to the assessment and taxation of the property of railroad companies, electric light and power companies, telegraph companies, telephone companies, gas companies, pipeline companies, water companies, heating companies, toll bridge companies, steamboat companies and logging railroad companies; providing penalties for the violation thereof; repealing Sections 35 to 50 inclusive, of Chapter 130, Laws of the Extraordinary Session of 1925, and all other acts and parts of acts in conflict therewith; and declaring that this act shall take effect immediately," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 290, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—34.

Those voting nay were: Senators Barnes, Brunton, Dailey, Dawson, Metcalf, Reardon—6.

Absent or not voting: Senators Knutzen, Malstrom, Maxwell, Nelson, Roland, Ryan (Scott M.)—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. 238:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 238, entitled: "An Act relating to and regulating the practice of the profession of engineering and land surveying, defining the powers and duties of certain officers; providing penalties for violations 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.

E. N. STEELE, *Chairman.*

We concur in this report: A. M. Murfin, Judson W. Shorett, James A. Murphy, Ralph Metcalf, Chas. H. Todd, Geo. F. McAulay.

SENATE CHAMBER,  
OLYMPIA, WASH., March 4, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Judiciary, to whom was referred Engrossed House Bill No. 238, 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: H. I. Kyle, C. F. Stinson, Ed. Peirce.

On motion of Senator Steele, the reports of the committee were received.

On motion of Senator Drumheller, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 238.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Peirce, the following amendments made in the committee of the whole were adopted:

Amend Sec. 2 by adding a new sub-section to be known as sub-section "(g)" as follows: "(g) A member of the American Institute of Mining and Metallurgical Engineers."

Amend Sec. 17, line 22, Page 8 of the printed bill, by adding the following thereto: "The Director of Licenses shall estimate the cost of auditing and supervising the collection and disbursements of the fund herein referred to; and such cost shall be deducted from the funds herein appropriated and shall be a first charge against the receipts thereof."

Senator Mehner 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. 238, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Kyle, Lovejoy,

Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Nelson, Norman, Nugent, Orndorff, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd—32.

Those voting nay were: Senators Drumheller, Duggan, Murphy (James A.), Murphy (Kebel), Peirce, Reardon, Worum—7.

Absent or not voting: Senators Gannon, Knutzen, Maxwell, McAulay, Roland, Ryan (Scott M.), Tewksbury—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 Ryan (J. H.), 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., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred House Bill No. 625, entitled: "An Act relating to the extermination of cougar, wild-cat, lynx, coyote and timber wolf; for the payment of bounties where such animals were killed prior to June 7, 1933, and making an appropriation," 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: Geo. H. Gannon, J. W. Thein, Fred S. Duggan, D. O. Nugent, Horace E. Smith.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, your Committee on Fisheries, to whom was referred Engrossed House Bill No. 155, entitled: "An Act relating to food and shell fish, providing for licenses for taking, canning, receiving, buying, wholesaling and selling food and shell fish and amending Section 51 of Chapter 31 of the Laws of 1915 as amended by Section 51 of Chapter 63 of the Laws of 1921, defining license fees 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.

L. E. Tewksbury, *Chairman*.

We concur in this report: J. H. Ryan, Scott M. Ryan, James Dailey, D. O. Nugent, Geo. A. Lovejoy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Harbors and Waterways, to whom was referred House Bill No. 239, entitled: "An Act providing for the survey of the Quillayute River, providing for the setting apart and donating for public use certain tide lands and making an appropriation for such purposes," 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: Paul G. Thomas, E. N. Steele.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Corporations Other Than Municipal, to whom was referred Engrossed House Bill No. 265, entitled: "An Act requiring and providing for the qualification of foreign corporations to do business in this state; providing for and requiring payment of filing and license fees for both domestic and foreign corporations; providing additional fees for late payment; prescribing the duties of certain officials in aid of the collection thereof; providing they shall be preferred claims and constitute a lien on corporate assets; repealing certain acts and all other inconsistent acts 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. D. BENGTSON, *Chairman*.

We concur in this report: Geo. H. Gannon, Judson W. Shorett, A. M. Murfin.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Forestry and Logged Off Lands, to whom was referred Engrossed House Bill No. 58, entitled: "An Act providing for the reassessment of timber lands by the cruise of standing timber thereon, prescribing the duties of certain officers in connection therewith and declaring 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.

F. G. BARNES, *Chairman*.

We concur in this report: J. W. Thein, K. W. Reardon, J. D. Bengtson, D. E. McMillan, Scott M. Ryan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred House Bill No. 585, entitled: "An Act prescribing the duty of the commissioner of public lands with regard to the reimbursement of the United States government for emergency conservation work in cases where the state realizes a profit from such work," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

JOHN H. FERRYMAN, *Chairman*.

We concur in this report: Ed. Peirce, J. Drumbheller, E. L. Brunton, W. O. Dawson, J. A. Murphy, Geo. H. Gannon, Geo. A. Lovejoy, Chas. H. Todd, G. B. Kerstetter.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Labor and Labor Statistics, to whom was referred Second Substitute House Bill No. 76, entitled: "An Act prohibiting employers from requiring employees to submit to certain conditions before employment, and providing penalties 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. H. RYAN, *Chairman*.

We concur in this report: Paul G. Thomas, P. Frank Morrow, Geo. H. Gannon.

On motion of Senator Ryan (J. H.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Banks and Banking, to whom was referred House Bill No. 552, entitled: "An Act relating to depositories for public funds and amending Sections 5548, 5549 and 5551, 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. H. GANNON, *Chairman*.

We concur in this report: E. L. Brunton, A. M. Murfin, Fred S. Duggan, Judson W. Shorett, Kathryn E. Malstrom, Geo. A. Lovejoy, Fred Norman, J. Drumheller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Education, to whom was referred Engrossed House Bill No. 172, entitled: "An Act relating to the employment of teachers in the public schools of the State of Washington, providing for teachers tenure and fixing conditions under which employment may be terminated," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

MARY U. FARQUHARSON, *Chairman*.

We concur in this report: Kathryn E. Malstrom, W. R. Orndorff, Ralph Metcalf, D. O. Nugent, J. D. Bengtson, L. E. Tewksbury.

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

The Committee on Liquor Control recommended that Engrossed House Bill No. 120 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., March 11, 1935.

MR. PRESIDENT:

The House has passed Engrossed Substitute House Bill No. 420, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### INTRODUCTION OF BILL.

Engrossed Substitute House Bill No. 420, by a majority of the Committee on Appropriations, 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, and construction of buildings and improvements for the various state institutions designated and mentioned, and for certain emergencies, and for sundry civil expenses of the state government, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal biennium beginning April 1, 1935, and ending March 31, 1937, 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 Ferryman, the rules were suspended, the bill was read the second time by title, and referred to the Committee on Appropriations.

Senator Gannon moved that when the President appoints the members of the Washington Emergency Relief Investigation Committee, he appoint the same members as of the former investigation committee.

The motion by Senator Gannon carried.

**GENERAL FILE.**

**Engrossed House Bill No. 259**, by Representative Boyle, entitled: "An Act relating to free public libraries, creating a board for the certification of librarians and defining its powers, prescribing penalties, and repealing Sections 8226 to 8246 and Sections 9211 and 9212 of Remington's Revised Statutes and other acts and parts of acts inconsistent herewith," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 259, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, McAulay, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Ronald, Ryan (J. H.), Shorett, Smith, Stinson, Thein, Thomas, Todd, Worum—33.

Those voting nay were: Senators Peirce, Reardon—2.

Absent or not voting: Senators Drumheller, Farquharson, Knutzen, Maxwell, McMillan, Nelson, Nugent, Roland, Ryan (Scott M.), Steele, Tewksbury—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. 507:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Engrossed House Bill No. 507, entitled: "An Act relating to the organization and government of irrigation districts, the redistribution of costs in local improvement districts and the creation of a local improvement district guarantee fund and adding two new sections to Remington's Compiled Statutes to be known as 7464-1 and 7464-2 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. W. J. KNUTZEN, *Chairman*.

We concur in this report: John H. Ferryman, Chas. F. Stinson, Horace E. Smith, W. G. Ronald.

SENATE CHAMBER,  
OLYMPIA, WASH., March 6, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred Engrossed House Bill No. 507, 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*.

I concur in this report: Geo. F. McAulay.

On motion of Senator Knutzen, 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. 507, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Ferryman, Gannon, Garrett, Keller, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy, (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Stinson, Thein, Thomas, Todd, Worum—35.

Absent or not voting: Senators Dailey, Drumheller, Farquharson, Kerstetter, Maxwell, McMillan, Murphy (Kebel), Roland, Ryan (Scott M.), Steele, Tewksbury—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. 327**, by Committee on State Granted, School and Tide Lands (by departmental request), entitled: "An Act relating to the management, sale, lease and disposition of state lands and amending Section 23, Chapter 255, Session Laws of 1927," was read the third time.

On motion of Senator Peirce, the following amendment was adopted:

Amend Section 1, line 1, page 2 of the printed bill by striking the period (.) after the word "committee," and inserting a colon (: ) and adding the following proviso:

*"Provided further, That when said exchange effects university granted lands granted to the State of Washington for educational purposes, the exchange shall also be approved by the Board of Regents of the University of Washington."*

The Secretary called the roll on the final passage of House Bill No. 327, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, McAulay, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Smith, Stinson, Thein, Thomas, Todd, Worum—34.

Absent or not voting: Senators Barnes, Farquharson, Ferryman, Malstrom, Maxwell, McMillan, Miller, Reardon, Roland, Ryan (Scott M.), Steele, Tewksbury—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. 417**, by Representative Adams, entitled: "An Act relating to the taking and reduction of pilchards," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 417, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Knutzen, McAulay, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Norman, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Smith, Stinson, Tewksbury, Thein, Todd—26.

Those voting nay were: Senators Barnes, Duggan, Garrett, Keller, Kyle, Malstrom, Mehner, Murphy (Kebel), Nelson, Reardon, Thomas, Worum—12.

Absent or not voting: Senators Kerstetter, Lovejoy, Maxwell, McMillan, Nugent, Roland, Ryan (Scott M.), Steele—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 Concurrent Resolution No. 10**, by Representative Ledgerwood, entitled: "Uniformity of grain warehouse regulations in Washington, Oregon and Idaho," was read the third time.

On motion of Senator Peirce, Engrossed House Concurrent Resolution No. 10 was adopted.

**House Bill No. 372**, by Committee on Reclamation and Irrigation, entitled: "An Act authorizing and directing the commissioner of public lands to grant to the Wenatchee Reclamation District the right to overflow certain shore lands for reservoir purposes," was read the third time.

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 Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Malstrom, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Ryan (J. H.), Shorett, Thein, Thomas, Todd—27.

Absent or not voting: Senators Farquharson, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Nelson, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Smith, Steele, Stinson, Tewksbury, Worum—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. 690:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Labor and Labor Statistics, to whom was referred House Bill No. 690, entitled: "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers by railroad to limit the length of freight and passenger trains and prescribing 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. H. RYAN, *Chairman*.

We concur in this report: Paul G. Thomas, Geo. H. Gannon.

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Labor and Labor Statistics, to whom was referred House Bill No. 690, 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: P. Frank Morrow, W. J. Knutzen.

On motion of Senator Ryan (J. H.), 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. 690, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Dailey, Gannon, Kerstetter, Kyle, Malstrom, Maxwell, Mehner, Murphy (James A.), Murphy (Kebel), Nelson,

Norman, Peirce, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thomas—18.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Garrett, Knutzen, McAulay, Metcalf, Miller, Morrow, Murfin, Nugent, Orndorff, Reardon, Smith, Steele, Todd, Worum—21.

Absent or not voting: Senators Farquharson, Keller, Lovejoy, McMillan, Roland, Ronald, Thein—7.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Miller gave notice that at the proper time he would move to reconsider the vote by which House Bill No. 690 failed to pass the Senate.

Senators Ryan (J. H.), Miller and Nugent demanded a call of the Senate.

Senators Miller, Nugent, Gannon, Thomas, Ryan (J. H.), Malstrom, Kerstetter and Murphy (Kebel) demanded a roll call on the demand for a call of the Senate.

A roll call was ordered.

The Secretary called the roll on the demand for the call of the Senate, and the demand for the call of the Senate failed to prevail by the following vote:

Those voting aye were: Senators Dailey, Gannon, Kerstetter, Kyle, Malstrom, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Thein, Thomas—18.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Garrett, Knutzen, McAulay, Mehner, Metcalf, Morrow, Murfin, Orndorff, Reardon, Smith, Steele, Todd, Worum—20.

Absent or not voting: Senators Farquharson, Keller, Lovejoy, Maxwell, McMillan, Roland, Ronald, Tewksbury—8.

Senator Reardon moved that the Senate reconsider the vote by which House Bill No. 690 failed to pass the Senate.

Senators Ryan (J. H.), Thomas and McAulay demanded a call of the Senate.

Senators Gannon, Nugent, McAulay, Miller, Thomas, Murphy (Kebel), Ryan (J. H.) and Shorett demanded a roll call on the demand for the call of the Senate.

A roll call was ordered.

The Secretary called the roll on the demand for the call of the Senate, and the demand for the call of the Senate failed to prevail by the following vote:

Those voting aye were: Senators Dailey, Gannon, Kerstetter, Kyle, Malstrom, Miller, Murphy (James A.), Nelson, Norman, Nugent, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Thein, Thomas—16.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Garrett, Knutzen, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (Kebel), Orndorff, Peirce, Reardon, Smith, Steele, Todd, Worum—23.

Absent or not voting: Senators Farquharson, Keller, Lovejoy, Maxwell, Roland, Ronald, Tewksbury—7.

Senator Miller moved that the motion by Senator Reardon be laid on the table.

The motion by Senator Miller lost.

The motion for reconsideration by Senator Reardon lost.

On motion of Senator Murphy (James A.), 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., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Agriculture, to whom was referred Engrossed Substitute House Bill No. 500, entitled: "An Act relating to the branding and identification of livestock; providing for the administration of same; providing penalties for the violation thereof; providing for the publishing of records of such tattoo marks and brands; providing for fees for the registration thereof; making an appropriation; and providing for the cancellation of existing brands," 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: W. J. Knutzen, J. D. Bengtson, J. Drumbheller, Kebel Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Dairy and Livestock, to whom was referred Engrossed House Bill No. 208, entitled: "An Act relating to manufacturing, sale and distribution of concentrated commercial feeding stuff, commercial fertilizer and livestock remedies and defining the powers and duties of the Director of Agriculture in relation thereto; providing for a chemist and an assistant chemist; defining the duties of the chemist and his assistant; providing for the registration, inspection and sampling of concentrated commercial feeding stuffs, commercial fertilizers and livestock remedies; providing for brands of concentrated commercial feeding stuffs, commercial fertilizers and livestock remedies; defining 'manufacturer,' 'importer,' 'mixer,' 'distributor,' 'agent' and 'vendor'; making an appropriation for the administration of this act; granting jurisdiction to the courts for trial and conviction for any violation of this act; defining domestic birds, domestic fowl and domestic animals; defining standard sack; requiring labels and other information; regulating advertising of other than standard sacks; providing for sale and regulation of use of leather as fertilizer; providing for hay and alfalfa mixes; providing for the sale of commercial fertilizers, 'alfalfa leaves,' 'buds,' or 'blossoms'; providing for use of second hand sacks; making unlawful the inclusion of certain by-products in concentrated commercial feeding stuffs; providing for repeal of acts or 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.

SCOTT M. RYAN, *Chairman.*

We concur in this report: H. I. Kyle, J. W. Thein, F. G. Barnes, D. E. McMillan, W. J. Knutzen.

On motion of Senator Ryan (Scott M.), the report of the committee was received and the bill was placed on general file.

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Commerce and Manufacturing, to whom was referred Substitute House Bill No. 415, entitled: "An Act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses

to engage in the business of contracting and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act; and repealing all laws or parts of laws 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.

W. C. DAWSON, *Chairman*.

We concur in this report: Joseph Drumheller, Chas. H. Todd.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred House Bill No. 349, entitled: "An Act relating to and regulating the possession, transportation, treatment and disposition of dead human bodies, the licensing of funeral directors and embalmers, regulating conduct in relation thereto, making an appropriation, providing penalties for violation thereof, and repealing all acts and parts of 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.

D. O. NUGENT, *Chairman*.

We concur in this report: H. L. Nelson, Edmund J. Miller, Kathryn E. Malstrom, G. B. Kerstetter, Paul G. Thomas.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred House Bill No. 580, entitled: "An Act establishing a State Hospitalization Board and defining its powers and duties and providing for the construction, maintenance and operation of certain experimental hospitals, clinics, and out-stations, providing for creation of hospital districts, appropriating ten thousand dollars (\$10,000) 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.

D. O. NUGENT, *Chairman*.

We concur in this report: G. B. Kerstetter, Paul G. Thomas, Kathryn E. Malstrom, Edmund J. Miller.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Medicine, Dentistry, Pure Food and Drugs, to whom was referred House Bill No. 468, 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 of acts or parts of 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.

D. O. NUGENT, *Chairman*.

We concur in this report: G. B. Kerstetter, Paul G. Thomas, Edmund J. Miller, Kathryn E. Malstrom.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT :

We, your Committee on Judiciary, to whom was referred House Bill No. 450, entitled: "An Act relating to chattel mortgages, providing for the filing of copies of certain chattel mortgages with the secretary of state, declaring the effect of such filing, defining the duties of the secretary of state therewith, providing certain fees to be paid in connection therewith, and amending Section 3788 of Remington's Compiled Statutes, and adding two new sections numbered 3788-1 and 3788-2," 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, *Vice Chairman*.

We concur in this report: E. N. Steele, C. F. Stinson, Judson W. Shorett, Ed. Peirce, Ralph Metcalf, E. L. Brunton.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT :

We, your Committee on Judiciary, to whom was referred House Concurrent Resolution No. 8: "Relating to Father's Day and designating the third Sunday of June in each year as Father's Day," 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, *Vice Chairman*.

We concur in this report: E. N. Steele, Fred S. Duggan, A. M. Murfin, C. F. Stinson, Judson W. Shorett, H. I. Kyle.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT :

We, your Committee on Judiciary, to whom was referred House Bill No. 567, entitled: "An Act relating to the preservation of the identity of personal property by serial or manufacturer's number and prohibiting the acquisition, hypothecation, disposition, or displaying thereof if such number has been obliterated, defaced, altered, changed, or removed, 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.

GEO. F. MCAULAY, *Vice Chairman*.

We concur in this report: E. N. Steele, Fred S. Duggan, A. M. Murfin, C. F. Stinson, Judson W. Shorett, H. I. Kyle.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT :

We, your Committee on Judiciary, to whom was referred House Bill No. 286, entitled: "An Act providing that no bond shall be required of the State of Washington in any of the courts of this state," 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, *Vice Chairman*.

We concur in this report: E. N. Steele, Fred S. Duggan, A. M. Murfin, C. F. Stinson, Judson W. Shorett, H. I. Kyle.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT :

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 220, entitled: "An Act providing for the acceptance by the State of Washington of the benefits of an Act of Congress authorizing the Secretary of the Interior to ar-

range with states or territories for the education, medical attention, relief of distress, and social welfare of Indians, 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. F. MCAULAY, *Vice Chairman*.

We concur in this report: H. I. Kyle, E. N. Steele, Fred S. Duggan, A. M. Murfin, C. F. Stinson, Judson W. Shorett.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 400, entitled: "An Act relating to the extradition of persons charged with crime, 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, *Vice Chairman*.

We concur in this report: E. N. Steele, Fred S. Duggan, A. M. Murfin, C. F. Stinson, Judson W. Shorett, H. I. Kyle.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 419, entitled: "An Act relating to finger-prints, and evidence and record thereof and to criminal procedure and to trials and judgments in criminal cases," 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, *Vice Chairman*.

We concur in this report: E. N. Steele, A. M. Murfin, C. F. Stinson, Judson W. Shorett, Fred S. Duggan, John F. Worum.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 398, entitled: "An Act relating to taxation, extending the time within which actions for the recovery of taxes may be brought, amending Section 6, Chapter 62, Laws of 1931, and declaring 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.

GEO. F. MCAULAY, *Vice Chairman*.

We concur in this report: E. N. Steele, A. M. Murfin, Fred S. Duggan, C. F. Stinson, Judson W. Shorett, H. I. Kyle.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 375, entitled: "An Act providing for the special investigation of the Erland Point Murder Case by the Attorney General of the State of Washington, providing an 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.

GEO. F. MCAULAY, *Vice Chairman*.

We concur in this report: E. N. Steele, Fred S. Duggan, A. M. Murfin, Judson W. Shorett, John F. Worum, J. A. Murphy.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred House Bill No. 385, entitled: "An Act to provide a limitation for the bringing of actions growing out of injuries resulting to persons from malpractice on the part of physicians and surgeons and other persons licensed to practice healing arts in the State of Washington and amending Section 160, Remington's Compiled Statutes of the State of Washington," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

GEO. F. MCAULAY, *Vice Chairman*.

We concur in this report: E. N. Steele, A. M. Murfin, C. F. Stinson, Judson W. Shorett, John F. Worum, Ralph Metcalf, E. L. Brunton.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed Substitute House Bill No. 190, entitled: "An Act to establish law library funds in counties of the second and third and fourth classes and providing for the expenditure and use thereof, and amending Sections 1 and 3, Chapter 94 of the Laws of the Extraordinary Session 1925, and adding new sections to be known as Sections 4 and 5 and 6 and 7," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

GEO. F. MCAULAY, *Vice Chairman*.

We concur in this report: E. N. Steele, A. M. Murfin, Fred S. Duggan, C. F. Stinson, Judson W. Shorett, H. I. Kyle.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 425, entitled: "An Act relating to the welfare of minor children, their care, custody, control and adoption, and providing penalties and repealing Chapter 62 of the Laws of 1933," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

GEO. F. MCAULAY, *Vice Chairman*.

We concur in this report: E. N. Steele, A. M. Murfin, C. F. Stinson, Judson W. Shorett, H. I. Kyle, Ed. Peirce, John F. Worum.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Substitute House Bill No. 164, entitled: "An Act relating to inquiry concerning religion or religious affiliations of persons seeking public employment 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, *Vice Chairman*.

We concur in this report: E. N. Steele, A. M. Murfin, Fred S. Duggan, C. F. Stinson, Judson W. Shorett, H. I. Kyle.

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

A majority of the Committee on Liquor Control recommended that Engrossed House Bill No. 148 do pass.

A minority of the Committee on Liquor Control recommended that En-grossed House Bill No. 148 do not pass.

The reports of the committee, together with the bill, were placed on general file.

At 11:10 o'clock p. m., on motion of Senator Murphy (James A.), the Senate adjourned until 11:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

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## FIFTY-NINTH DAY

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### MORNING SESSION.

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SENATE CHAMBER,

OLYMPIA, WASH., Wednesday, March 13, 1935.

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

Reverend L. Wendell Taylor of the United Churches of Olympia offered prayer.

The Secretary called the roll, all members being present.

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

### GENERAL FILE.

**Senate Bill No. 333:**

The Secretary read:

### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,

OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

We, your Committee on Roads and Bridges, to whom was referred Senate Bill No. 333, entitled: "An Act relating to public highways, making appropriations for the location, rights of way, engineering, construction, repair, alteration, improvement, maintenance and special maintenance of the state highways of the State of Washington and of the state roads according to the several department of highways districts; making appropriations for capital outlays and for the salaries, wages, operations and other expenses of the department of highways with respect to state highways of the state and state roads according to the several department of highways districts; making allocations for incorporated cities and towns for construction and maintenance of city streets forming a part of the routes of state highways and state roads therein and making an appropriation therefor; all for the fiscal biennium beginning April 1, 1935, and ending March 31, 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 Senate Bill No. 333 following the enacting clause strike the remainder of the bill and insert in lieu thereof the following:

SECTION 1. For the department of highways in the office of the director of highways for salaries, wages and operations there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$262,320, or so much thereof as shall be necessary; *Provided*, That in addition thereto and in the event that funds become available from the federal government for construction, reconstruction or improvement of primary roads, secondary roads and/or city streets, the same to be expended under the direction of the director of highways, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, for salaries, wages and operations of the office of director of highways and/or district offices of the department of highways, an additional sum of \$145,000, or so much thereof as shall be necessary, but in no event to exceed 1½% of any such federal funds allocated and expended.

SEC. 2. For the department of highways in the district offices thereof for salaries, wages and operations there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$361,825, or so much thereof as shall be necessary.

SEC. 3. For location, right of way, engineering, improvement, construction and reconstruction of primary roads, including the construction of bridges to form a part of primary roads, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$7,000,000; *Provided*, That this appropriation shall not exceed the receipts in said fund for said period.

SEC. 4. To carry out the provisions of the Federal Aid Road Act and the state act assenting thereto (to be expended for that portion of work actually completed and chargeable to the Federal Contributing Fund under specific project agreements now executed or to be executed by state and federal authorities; expenditures herefrom to be limited to anticipated reimbursements), there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$20,000,000, or so much thereof as shall be necessary.

SEC. 5. For the maintenance of primary roads, including road signs, operation of bridges and ferries and similar purposes on primary roads, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$3,000,000, or so much thereof as shall be necessary.

SEC. 6. For the special maintenance of primary roads, including extraordinary repairs and contingencies, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$1,350,000, or so much thereof as shall be necessary.

SEC. 7. For emergencies to be limited to unforeseen damage to state highways and/or bridges by reason of catastrophes or acts of God, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$500,000, or so much thereof as shall be necessary.

SEC. 8. For the location, right of way, engineering, improvement, construction, reconstruction and maintenance of secondary roads and city streets and for payment of interest and principal of bonds in the manner provided by law, to be credited to the several counties and incorporated cities and towns for such purpose as by law provided, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$15,000,000, or so much thereof as shall become available, in no event to exceed a sum equal to three cents (3c) per gallon on taxed motor vehicle fuel less all deductions provided by law.

SEC. 9. For the department of highways for the supervision of expenditures upon secondary roads and city streets and other proper road purposes and other expenditures provided by law, there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$105,000, or so much thereof as shall be necessary, in no event to exceed 1½% of the total amount accruing to the credit of the counties and incorporated cities and towns as by law provided and set aside for such supervision.

SEC. 10. There is hereby created in the state treasury a state fund to be known as the "highway equipment fund," the same to be used by the department of highways in the nature of a revolving fund to be expended for the repair, replacement and/or purchase of equipment (other than office and engineering equipment) used in the administration, maintenance and construction of highways and other facilities and to be credited with a reasonable rental assessed upon the use of such equipment and against the proper appropriation chargeable for such rental. For the purpose of carrying out the provisions of this act and for the purpose of reimbursement and repayment to the

motor vehicle fund of the sum of \$250,000 appropriated and advanced to the highway equipment fund therefrom, when and if there shall have been collected and paid into the highway equipment fund sufficient moneys to carry out the provisions of this act and reimburse the motor vehicle fund, there is hereby appropriated from the highway equipment fund for the biennium ending March 31, 1937, the sum of \$1,500,000, or so much thereof as shall be necessary.

SEC. 11. For the state auditor there is hereby appropriated from the motor vehicle fund for the biennium ending March 31, 1937, the sum of \$7,500, or so much thereof as shall be necessary to cover all expense for the inspecting, examining and auditing of the books, accounts and records of the department of highways as provided by law.

SEC. 12. All sums in this act appropriated for use on primary roads and for the department of highways shall be expended by the director of highways as by law provided.

The words "salaries" and "wages" wherever used in this act, shall mean and include salaries of executive officers and employees of the department of highways, and all compensation for direct labor or personal service rendered to the department of highways.

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, materials, services and maintenance of the department of highways, other than salaries and wages.

SEC. 13. 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.

Strike the title and insert in lieu thereof the following:

AN ACT relating to public roads, making appropriations for salaries, wages and operations of the department of highways, for location, right of way, improvement, construction, reconstruction, maintenance, special maintenance and emergencies for primary roads; making appropriation for purposes specified in certain acts of congress and for miscellaneous purposes, prescribing the powers and duties of certain officers; making appropriations to counties and incorporated cities and towns for secondary roads and certain city streets, and for supervision; making appropriation for the state auditor; creating the highway equipment fund and making appropriation therefrom; defining terms and declaring that this act shall take effect immediately.

H. L. NELSON, *Vice Chairman.*

We concur in this report: Geo. F. McAulay, J. W. Thein, D. E. McMillan, S. C. Roland, Fred Norman, C. Nifty Garrett, Horace E. Smith, J. D. Bengtson, John F. Worum, J. P. Keller, C. F. Stinson.

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

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider Senate Bill No. 333.

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 was adopted.

On motion of Senator Ferryman, the committee amendment read in the committee of the whole was adopted.

Senator Murphy (Kebel) 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. 333, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—33.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Kerstetter, Kyle, Malstrom, Morrow, Murphy (James A.), Ryan (J. H.), Ryan (Scott M.), Thomas—11.

Absent or not voting: Senators Maxwell, 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.

At 12:30 o'clock p. m., on motion of Senator Peirce, the Senate recessed until 2:00 o'clock p. m.

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### AFTERNOON SESSION.

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The Senate reconvened at 2:00 o'clock p. m., President Meyers in the Chair.

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., March 13, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred House Bill No. 641, entitled: "An Act relating to the state institutions of higher education and providing for the annual levy of taxes to produce revenue therefor," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

PAUL MEHNER, *Chairman.*

We concur in this report: W. R. Orndorff, E. N. Steele, Judson W. Shorett, W. J. Knutzen, Ralph Metcalf, Mary U. Farquharson, A. M. Murfin, L. E. Tewksbury.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

We, your Committee on Horticulture, to whom was referred House Bill No. 529, entitled: "An Act relating to horticulture, amending Sections 1, 2, 11 and 20 of Chapter 166 of the Laws of 1915, as subsequently amended, 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.

HORACE E. SMITH, *Chairman.*

We concur in this report: Chas. F. Stinson, J. Drumheller, Ed. Peirce, John H. Ferryman.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

We, your Committee on Reclamation, Irrigation, Dikes, Drains and Ditches, to whom was referred House Bill No. 656, entitled: "An Act relating to the powers of the commission for the development of the Columbia Basin project; defining its powers and duties; amending Section 2 of Chapter 81 of the Session Laws of 1933; and de-

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.

W. J. KNUTZEN, *Chairman*.

We concur in this report: Geo. F. McAulay, Horace E. Smith, C. F. Stinson, W. G. Ronald, John F. Worum.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

We, your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 637, entitled: "An Act relating to taxation, providing the means, method and manner of payment of taxes and declaring an emergency," have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

PAUL MEHNER, *Chairman*.

We concur in this report: W. R. Orndorff, E. N. Steele, Ralph Metcalf, W. J. Knutzen, A. M. Murfin, Mary Farquharson, Paul G. Thomas, J. H. Ryan.

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

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 86; also Senate Bill No. 250; also Senate Bill No. 252; also Engrossed Senate Bill No. 253; also Senate Bill No. 254; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### GENERAL FILE.

**Engrossed House Bill No. 605**, by Representative Skinner, entitled: "An Act reappropriating certain sums from the motor vehicle fund for the purpose of construction, improvement and/or maintenance of primary roads and secondary roads, and declaring that this act shall take effect immediately."

On motion of Senator Peirce, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 605.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass.

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

Senator Smith 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. 605, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Morrow, Murfin, Murphy (Kebel), Nelson, Nor-

man, Nugent, Orndorff, Peirce, Roland, Ronald, Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—33.

Those voting nay were: Senator Thomas—1.

Absent or not voting: Senators Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Malstrom, Miller, Murphy (James A.), Reardon, Ryan (J. H.), Ryan (Scott M.)—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. 433:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, your Committee on Judiciary, to whom was referred Engrossed House Bill No. 433, entitled: "An Act granting equitable powers to the courts to fix upset prices before selling mortgaged property on execution, and confirming such sales; and amending Section 1118, of Remington's Compiled 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, *Vice Chairman.*

We concur in this report: Judson W. Shorett, J. A. Murphy, A. M. Murfin, H. I. Kyle, John F. Worum, C. F. Stinson.

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 Engrossed House Bill No. 433, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Metcalf, Miller, Morrow, Nelson, Norman, Nugent, Peirce, Reardon, Roland, Ryan (J. H.), Shorett, Smith, Stinson, Tewksbury, Thein, Todd, Worum—30.

Those voting nay were: Senators Keller, Murphy (James A.)—2.

Absent or not voting: Senators Brunton, Duggan, Farquharson, Ferryman, Gannon, McMillan, Mehner, Murfin, Murphy (Kebel), Orndorff, Ronald, Ryan (Scott M.), Steele, Thomas—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 Nugent, 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., March 13, 1935.

MR. PRESIDENT:

We, your Committee on Medicine and Dentistry, to whom was referred House Bill No. 306, entitled: "An Act relating to the system of registration and the method of reporting births and deaths, the issuance of permits for burial, removal, or transportation of bodies of deceased persons, prescribing certain rules of evidence, and amend-

ing Section 11 of Chapter 180 of the Laws of 1915, as found in Remington's Revised Statutes, 6037," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do pass.

D. O. NUGENT, *Chairman.*

We concur in this report: G. B. Kerstetter, Paul G. Thomas, Horace E. Smith, Earl Maxwell, Edmund J. Miller, Kathryn E. Malstrom.

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

A majority of the Committee on Revenue and Taxation recommended that Engrossed House Bill No. 513 do pass.

A minority of the Committee on Revenue and Taxation recommended that Engrossed House Bill No. 513 do not pass.

The reports of the committee, together with the bill, were placed on general file.

Senator Thomas moved that the Committee on Rules and Joint Rules be discharged of further consideration of House Bill No. 674.

Senator Miller moved that the motion by Senator Thomas be laid on the table.

Senators Dailey, Thomas, Tewksbury, Nelson, Murphy (James A.), Roland, Nugent and Kyle demanded a roll call on the motion by Senator Miller.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Dawson, Drumheller, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—26.

Those voting nay were: Senators Dailey, Duggan, Farquharson, Kerstetter, Kyle, Malstrom, Morrow, Murphy (James A.), Nelson, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Tewksbury, Thomas—16.

Absent or not voting: Senators Brunton, Ferryman, Gannon, McAulay—4.

#### **Engrossed House Bill No. 513:**

Senator Drumheller moved that Engrossed House Bill No. 513 be made a special order of business after consideration of House Bill No. 237.

Senator Morrow moved that the motion by Senator Drumheller be laid on the table.

The motion by Senator Morrow carried.

#### **GENERAL FILE.**

#### **Engrossed House Bill No. 513:**

The Secretary read:

#### **REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 513, entitled: "An Act relating to taxation; providing revenues for support of the state government by means of taxes with respect to the income of residents of the state and fiduciaries, for the privilege of receiving income therein while enjoying the protection of its laws; providing for the assessment, collec-

tion and distribution of such taxes; defining the powers and duties of certain officers in connection therewith; prescribing penalties; making an appropriation, and 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.

PAUL MEHNER, *Chairman*.

We concur in this report: A. M. Murfin, Paul G. Thomas, H. I. Kyle, W. R. Orndorff, W. J. Knutzen, L. E. Tewksbury, Mary Farquharson, James Dailey.

SENATE CHAMBER,

OLYMPIA, WASH., March 7, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 513, 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: Ralph Metcalf, P. Frank Morrow, Fred S. Duggan.

On motion of Senator Mehner, the reports of the committee were received.

On motion of Senator Gannon, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 513.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Peirce, 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 the bill by striking such titles and subtitles as appear in italics before sections and/or subsections.

Senator Miller moved that the reading 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. 513, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Shorett, Steele, Tewksbury, Thomas, Worum—28.

Those voting nay were: Senators Brunton, Dawson, Drumheller, Garrett, Keller, McAulay, Metcalf, Murfin, Nugent, Ronald, Smith, Stinson, Thein, Todd—14.

Absent or not voting: Senators Duggan, Maxwell, McMillan, Ryan (Scott M.)—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. 642:

Senator Lovejoy moved that action on House Bill No. 642 be postponed until later in the day.

The motion by Senator Lovejoy carried.

**House Bill No. 641**, by Representative Reeves, entitled: "An Act relating to the state institutions of higher education and providing for the annual levy of taxes to produce revenue therefor," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 641, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—38.

Absent or not voting: Senators Duggan, Farquharson, Mehner, Miller, Murfin, Orndorff, Ryan (Scott M.), Steele—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. 656**, by Committee on Reclamation and Irrigation, entitled: "An Act relating to the powers of the commission for the development of the Columbia Basin project; defining its powers and duties; amending Section 2 of Chapter 81 of the Session Laws of 1933, and declaring an emergency," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 656, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Drumheller, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Norman, Peirce, Reardon, Ronald, Shorett, Smith, Tewksbury, Thein, Thomas, Worum—31.

Those voting nay were: Senators Ryan (J. H.), Ryan (Scott M.), Todd—3.

Absent or not voting: Senators Dawson, Duggan, Farquharson, Ferryman, Mehner, Murfin, Murphy (Kebel), Nugent, Orndorff, Roland, Steele, Stinson—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. 378**, by Representative Martin (F. J.), (by departmental request), entitled: "An Act relating to game, regulating the issuance of certain licenses and prescribing the powers and duties of the director of game in connection therewith, and amending Section 38 of Chapter 178 of the Laws of the Extraordinary Session of 1925 as amended by Section 6, of Chapter 258 of the Laws of 1927 and as amended by Section 38, Chapter 3, Laws of 1933 (Initiative Measure number 62), and repealing Section 41 of Chapter 178 of the Laws of the Extraordinary Session of 1925 as amended by Section 41, of Chapter 3, Laws of 1933 (Initiative Measure number 62) and declaring an emergency," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 378, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Metcalf, Miller, Morrow, Murphy (James A.), Norman, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Tewksbury, Thein, Thomas, Todd, Worum—31.

Absent or not voting: Senators Duggan, Farquharson, Ferryman, Keller, Knutzen, Malstrom, Mehner, Murfin, Murphy (Kebel), Nelson, Nugent, Orndorff, Roland, Steele, Stinson—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. 552**, by Representative Johnson (W. A.), (by departmental request), entitled: "An Act relating to depositaries for public funds and amending Sections 5548, 5549 and 5551, Remington's Revised Statutes," was read the third time.

On motion of Senator Gannon, the following amendment was adopted.

Amend the title by striking the period (.) at the end of the title, replace with a comma (,) and add the following:

"and relating to escheats, providing for reports to the Supervisor of inactive deposits by banks and institutions in which deposits are made, and reports of individuals, associations, corporations, and others, of property held which has escheated; providing for procedure, process, and judgment to recover such property by the state, and for a statute of limitation upon claims against estates of deceased persons; amending Sections 3291 and 3292 of Remington's Compiled Statutes by adding thereto sections to be known as 3291-A, 3291-B, 3291-C, 3291-D and 3291-E, and amending Sections 1356 and 1357, Rem. Comp. Stat., and amending Section 1533, Rem. Comp. Stat., by adding thereto Sections 1533-A, 1533-B, 1533-C and 1533-D, and amending Section 170, Rem. Comp. Stat., and repealing Sections 1535 to 1539, inclusive, of Rem. Comp. Stat., providing for penalty for violation of this act, and declaring an emergency."

On motion of Senator Metcalf, the following amendment was adopted:

Amend Sec. 2, line 18, page 1 of the printed bill; substitute a capital "I" for the lower case "i" in word "if."

On motion of Senator Kyle, the following amendment was adopted:

Amend Sec. 2, line 19, page 1 of the printed bill by striking the semicolon (;) and inserting in lieu thereof a colon (:).

On motion of Senator Gannon, the following amendment was adopted:

Amend by adding 19 new sections to the bill, numbered 4 to 22 inclusive, to read as follows:

"Sec. 4. That Section 3291 of Remington's Compiled Statutes be amended to read as follows:

Section 3291. The cashier or secretary of every savings bank, *savings* and loan society, and every institution in which deposits of money are made, shall, within fifteen (15) days after the first day in December, in the year one thousand nine hundred and five, and within fifteen (15) days of the first day of December, of each and every second succeeding year thereafter, return to the \* \* \* \* *supervisor* a sworn statement showing the amount standing to his credit, the last known place of residence or post office address, and the fact of death if known to said cashier or secretary of every depositor who shall not have made a deposit therein, or withdrawn therefrom any part of his deposit, or any part of the interest thereon, for the period of more than \* \* \* \* *seven* years next preceding; and the cashiers and secretaries of such bank shall give to each depositor notice \* \* \* \* by mail to the last known address of such depositor of the fact that the account has remained inactive for seven years and is subject to escheat unless such depositor appear and claim the deposit: *Provided, however*, That this section shall not apply to or affect the deposit made by or in the name of any person known to the said cashier or secretary to be living, except that the notice by mail as herein provided shall be given; that it shall be unlawful for any bank, or any of its officers or agents or any officer or employee of the State of Washington to give out information of the name, address or amount due depositor, with the exception of the owner of the deposit and any officer or employee of the State of Washington entitled to receive the same; and it shall be unlawful to give to anyone other than the owner of the deposit, or such officer or employee of the State of Washington information concerning the name, address or amount of the deposit, of any of such deposits. Anyone who shall violate this section shall be guilty of a gross misdemeanor under the laws of this state.

Sec. 5. That Section 3292 of Remington's Compiled Statutes be amended to read as follows:

Section 3292. Any cashier or secretary of any of the banking institutions mentioned in sections 2 and 4 of this act neglecting or refusing to make the sworn statement required by said sections shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum not less than fifty dollars nor more than one thousand dollars or confined in the county jail not less than ten days nor more than ninety days or both such fine and imprisonment.

In addition to the penalty provided above, the savings and loan societies, or banks in which deposits of money are made, shall pay eight per cent (8%) interest on all funds and accounts not reported as provided herein, from the time the accounts or funds should have been reported under the provisions of this act, until the same are paid in to the state treasurer.

Sec. 6. That Section 3291 of Remington's Revised Statutes be amended by adding thereto, to be known as Sections 3291-A, 3291-B, 3291-C, 3291-D and 3291-E to read as follows:

Section 3291-A. That the following shall be the form of sworn statement referred to in Section 3291 supra:

STATE OF WASHINGTON, ss.  
County of.....

..... being first duly sworn, on oath deposes and says:

Secretary

(1) I am the Cashier of the..... of..... Washington, and I am authorized by its Board of Directors to make this affidavit.

(2) I have investigated its books and records and know that the statements hereto attached include the name and last known address: the fact of death, if known to affiant; and the amount standing to the credit of each depositor, and share-holder, if savings and loan association or society, who has not made a deposit or withdrawn any part of his deposit, shares, or any part of the interest thereon, for a period of ten (10) years last preceding the date of this affidavit, except such depositors or shareholders personally known to affiant to be living on this ..... day of..... 19.....

(3) The word "deposit" as used in this affidavit includes the following: All savings deposits or savings accounts; all commercial deposits; all certificates of deposit, both time and demand; all cashier's checks; all certified checks; all deposits of trust funds; all deposits or accounts from the organization of this bank, or shares in savings and loan association or society, which have been transferred to special account or accounts or carried as inactive or dormant account or accounts; all deposits or accounts which may have been absorbed by so-called "service charges;" all deposits for bank drafts drawn against correspondent bank or banks and not cashed and returned; all moneys or intangible property deposited in safety-deposit boxes taken therefrom and held by the bank; all funds or intangible property deposited in escrow; and all shares in savings and loan associations and societies.

(4) I further state that the list hereto attached includes all such accounts and holdings of this bank, or savings and loan association or society, which have been taken over through the purchase or consolidated or reorganization or through merger with any other bank or banks, or trust company or companies, or other incorporated companies, or partnerships or individuals doing a banking, or savings and loan association or society, business.

Further affiant sayeth not.

Subscribed and sworn to before me this ..... day of ....., 19.....

Notary Public in and for the State of Washington, residing at.....

Section 3291-B. Whenever the supervisor shall be informed that any or all of the depositors so reported under Section 2 and 4 above provided have disappeared and remained absent and unheard of for a period of seven (7) years or more, and after an investigation believes that the depositor or depositors have been absent and unheard from for a period of seven (7) years and are dead, and that such deposits have escheated to the State of Washington under Section 5 of this act, whether or not an administrator has been appointed for such deceased person or persons, the supervisor shall on behalf of the State of Washington file a complaint or information in the superior court of the county in which such bank or banks holding such deposit or de-

posits are situated, and set forth the name of the depositor or depositors, the name of the bank or institution in which the deposit or fund is held, the name of any alleged heir and the name of anyone claiming an interest in the deposit or deposits. That if the true name or names of the alleged heirs of the deceased depositor or depositors are unknown to the supervisor and the name of anyone claiming an interest in the deposit or deposits is unknown to the supervisor these facts shall be stated in the complaint and such alleged heir or heirs, or any other person claiming an interest in the deposit or deposits whose true name is unknown, may be designated in the complaint or information or other pleading or proceeding by any name, and when his true name shall be discovered the pleading or proceeding may be amended by stating therein the true name of the alleged heir and the true name of the claimant; and also state in the complaint or information the facts and circumstances in consequence of which the deposit or deposits are claimed to have existed, with an allegation that by reason thereof the State of Washington has become the owner and is entitled to the possession of the deposit or deposits.

The supervisor may at his discretion bring one action against each bank for all the deposits belonging to the State of Washington held by such bank, and thereafter all of the actions in the same superior court shall be upon his motion consolidated, or he may in his discretion bring all the actions against all the banks in one county in one action, separately stating, however, in his petition, information or complaint the claim for the deposits in each bank. It will not be necessary to set forth in the title of the information or complaint or the summons the names of the deceased depositor, but a list of the names shall be attached to the complaint or information.

**AFFIDAVIT AS TO UNKNOWN HEIRS—PUBLICATION OF SUMMONS**

The supervisor, upon presenting an affidavit to the court or judge, showing to his satisfaction that the heirs of such deceased person or claimants are proper parties to the action and that their names and residence cannot with use of reasonable diligence be ascertained, the court or judge shall grant an order that service of summons in such action be made on such unknown heirs and unknown claimants by publication in the same manner as in an action against non-resident defendants.

**TITLE OF CAUSE—SERVICE OF SUMMONS**

In any action brought under this act to determine any adverse claim, estate, lien, or interest in the bank deposits, the State of Washington, as plaintiff, may include as defendant in such action and insert in the title thereof, in addition to the name or names of the bank or banks or other institutions in which deposits of money are made, the alleged unknown heirs or claimants claiming an interest in any or all of said deposits, by designating the same in such complaint and summons by any name, and service of summons may be had upon all such unknown heirs of such depositors and unknown claimants of parties defendant by publication as provided by law in case of non-resident defendants. Said summons for publication shall be substantially as follows:

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF**

THE STATE OF WASHINGTON,

By .....  
Supervisor of Inheritance Tax and Escheat Division,  
Plaintiff,

vs.

RICHARD ROE, JANE DOE,  
(Then follows name of the bank or institutions in  
which the deposits are held.) Defendants.

No. ....

The State of Washington to the said Richard Roe, Jane Doe and (naming bank or other institution in which said deposits are held):

You are hereby summoned to appear within sixty (60) days after the date of the first publication of this summons to-wit, within (60) days after the.....day of ....., 1....., and defend the above entitled action in the above entitled court, and answer the complaint of the State of Washington, and serve a copy of your answer upon the undersigned supervisor of inheritance tax and escheat division at his office below stated; and in case of your failure so to do, judgment will

be rendered against you according to the demand of the complaint, which has been filed with the clerk of said court, in which plaintiff claims title to certain escheated deposits held by defendant (s) and alleges that the depositors named in the complaint died intestate leaving no heirs and ask judgment quieting plaintiff's said title against all unknown heirs of said depositors designated as Richard Roe and Jane Doe, and for an accounting.

.....  
 Attorney for Plaintiff.

(Office and Postoffice address), Olympia, Washington.

All such unknown heirs of said deceased depositors or all such unknown persons or parties so served by publication, as in the preceding section of this act provided, shall be proceeded against in the same manner as against defendants who are named upon whom service is made by publication, and with like effect, and any such unknown heirs or unknown parties who have, or claim, any right, estate, lien, or interest in said deposit or deposits at the time of the commencement of the action, duly served as aforesaid, shall be bound and concluded by the judgment in such action, if the same is in favor of the plaintiff herein, as effectually as if the action was brought against such defendant by his or her name, and constructive service of summons obtained.

Section 3291-C. All persons interested in the information or complaint may appear and answer, traverse or deny the facts stated in the formation and deny the title of the State of Washington to the deposit or deposits at any time before the time for the hearing expires; and if no person appears and answers within such time, judgment must be rendered that the State of Washington is the owner of the bank deposit or deposits named in such information or complaint, but if any alleged owner appears and denies the title set up by the State of Washington, or traverses any material facts set forth in the information, the issue of fact must be tried as issues of fact are tried in civil actions, excepting, however, the burden of proof shall be upon the alleged owner. If, after the issues are tried, it appears from the facts found that the State of Washington has good title to the deposit or deposits in the information or complaint mentioned, or any part thereof, judgment must be rendered that the State of Washington is the owner thereof. Any bank deposits, or any part thereof, in such judgment decree adjudged to be the property of the State of Washington shall be ordered by the court transmitted to the Treasurer of the State of Washington to be paid in to the permanent common school fund of the state; and any person or bank in possession of any such deposit or deposits shall be ordered to deliver possession thereof forthwith to the treasurer of the State of Washington. Failure to give notice by mail as provided in Section 2 of this act shall not invalidate the judgment. That upon the payment by any bank, custodian, or holder, to the State of Washington, or any property under the provisions of this act, such bank, custodian, or holder, shall thereby be released from liability to the owner, and the State of Washington assumes such liability, if any, to such owner.

Section 3291-D. Within two (2) years after the entry of the judgment in any proceeding had under this act a person not a party or privy to such proceeding may file a petition in the superior court showing his claim or right to the property, or a portion of the same, and that he had no knowledge of the proceeding provided for in the foregoing sections. A copy of such petition must be served upon the supervisor at least twenty (20) days before the hearing of the petition, and the supervisor must answer the same, and the court thereupon must try the issues as issues are tried in civil actions; and if it be determined that such person is the owner of a deposit or a portion thereof and is entitled to such property or the proceeds thereof, judgment shall be entered against the State of Washington therefor, and the judgment shall provide that the claimant pay the costs of the escheat proceedings, and the amount, less the cost of the escheat proceedings and less any interest or dividends collected by the treasurer of the State of Washington from the money or property theretofore escheated, shall be paid to the claimant from the general fund of the State of Washington.

All persons who fail to appear and file their petitions within the two (2) years limited by the law are forever barred. In any proceeding in which the State of Washington claims that property in controversy has escheated to the State of Washington no costs and no attorney's fee shall be taxed in favor of any of the parties to the action against the State of Washington.

Section 3291-E. The foregoing provision shall apply to each deposit in amount in excess of five dollars (\$5); that all deposits of five dollars (\$5) and under shall

be paid in to the State Treasury by the bank at the time of filing the sworn statement or return, of the inactive deposits, with the supervisor. It is further provided, That in the event any part of this section is held to be invalid requiring the sums of five dollars (\$5) and under to be paid directly to the state treasurer, then, in that event, such funds of five dollars (\$5) and under shall be included in the action and proceeding, in this act herein-before provided for, and this action shall only apply to such funds of five dollars (\$5) and under other than those, if any, not affected by such holding of invalidity; that all funds paid in to the state treasury direct, as provided by this section, shall be paid in to the permanent common school fund, and unless within two (2) years the rightful claimant establishes ownership in such fund, as provided in Section 3291-D, his rights shall forever be barred.

SEC. 7. That Section 1356 of Remington's Compiled Statutes shall be amended to read as follows:

Section 1356. Whenever any person possessed of any property within this state shall die intestate, leaving no heirs, such property shall escheat to and the title thereto immediately vest in the State of Washington, subject, however, to existing liens thereon and the payment of decedent's debts and the expense of administration:

*Provided, however, That in any case where anyone has disappeared and remained absent and unheard of, from the community in which the property is situated, for a period of seven (7) years or more no administration shall be had upon such estate and a direct action in the superior court shall be instituted by the State of Washington as in this act provided: Provided also, That property within this state within the meaning of this act shall include all tangible and intangible property of decedent, regardless of the domicile of the decedent, as claimed against any resident of this state, person, firm, or corporation, including all savings deposits, savings accounts, commercial deposits, certificates of deposit, both time and demand, cashier's checks, certified checks, deposits of trust funds, shares in savings and loan associations or societies, bank drafts, deposits for bank drafts drawn against correspondent bank or banks, and not cashed and returned, property deposited in safety deposit boxes, or in escrow, certificates of stock, policies of insurance and bonds of any domestic corporation, certificates of stock and policies of insurance and bonds of other than domestic corporations, advance deposits with municipal corporations and public service companies, money illegally collected by municipal corporations or by public service companies, property in possession of municipal corporations, property in possession of public service companies; all policies of insurance; all of the above mentioned property owned by the decedent at the time of his death regardless of whether the domicile of the decedent at the time of death is within or without the State of Washington.*

SEC. 8. That Section 1357 of Remington's Compiled Statutes be amended to read as follows:

Section 1357. (a) Such estates shall be administered and settled in the same manner as other estates. If at the expiration of \* \* \* \* eight months after the issuance of letters of administration no heirs shall have appeared \* \* \* \*, the court having jurisdiction of such estate shall render a decree escheating all the property and effects of such decedent to the State of Washington; this is a statute of limitation and the decree shall be entered without notice: *Provided, however, That if anyone appears within one (1) year thereafter and establishes his claim in court, his portion shall be returned to him by the State of Washington; that all persons claiming an interest in such property who fail to appear within one (1) year after the decree escheating said property has been entered, their rights in and to such estate are forever barred.*

(b) That in any estate where the property belongs to the school children of this state under the escheat laws heretofore or hereafter adopted in which the net value of the estate, after the payment of the debts and costs of administration, does not exceed the sum of twenty-five hundred dollars (\$2500), the total expenses of burial shall not exceed the sum of one hundred fifty dollars (\$150); and in such estates where the net value of the estate is over twenty-five hundred dollars (\$2500), and not above five thousand dollars (\$5000), shall not exceed two hundred fifty dollars (\$250); and where the net estate is above five thousand dollars (\$5,000), shall not exceed three hundred dollars (\$300).

*The amount allowed for burial expenses shall be paid to the undertaker conducting the funeral, and before the same is paid the undertaker shall file an affidavit with the supervisor and shall file a copy of the same with the representative showing that the total items of the burial expenses have been paid by him; that any allowance*

made by the court shall not exceed a reasonable amount considering the value of the estate and the social standing of the decedent, but in no event in a larger amount than above provided.

The provisions of this act shall apply to all estates now pending in any courts of this state, including the supreme court, and to all estates where the decedent died prior to the passage of this act, as well as subsequent thereto.

Sec. 9. That Section 1533 of Remington's Compiled Statutes be amended by adding thereto new sections to be known as 1533-A, 1533-B, 1533-C and 1533-D.

*Section 1533-A. Unclaimed Estates:* When any estate is being distributed by decree of the court as provided in Section 1533 *supra*, and the address of anyone entitled to a portion of the same is unknown, and such person has not appeared and claimed such portion, such portion shall not be given to the heirs appearing, but the court entering the decree shall escheat the property to the State of Washington for the permanent common school fund of the state: Provided, however, That such absentee owner may appear within two (2) years after such decree of distribution has been entered, and establish his right as the owner of the property, and thereupon the amount of his distributive share shall be paid out of the general fund to such claimant; that if such claimant fails to appear within two (2) years as herein provided, his right in and to such portion of such estate shall be forever barred.

*Section 1533-B.* That in administration of the estates where the heirs are unknown to the representative appointed, at the time of such appointment, it shall be unlawful for such representative and unlawful for his attorneys directly or indirectly to represent any of the heirs or alleged heirs of the estate, and unlawful for such representative and unlawful for his attorney or attorneys to accept any compensation directly or indirectly from such alleged heir or heirs. It shall also be unlawful for the representative or his attorneys in such case where the heirs are unknown to the administrator or executor at the time of his appointment to use any part or portion of the estate to locate or discover the heirs, and that it is not a part of the executor's duty to give notice to such heirs other than to publish the notices as now provided by statute.

*Section 1533-C.* Provided, However, That when any bequest or any share by succession passes to an alien that is a non-resident of this state, such alien non-resident must appear in court and claim the succession within one (1) year after the death of the decedent; and upon the failure of such alien to appear in court and claim the succession within one (1) year from the date of the death of the decedent, the right of such alien to such succession shall forever be barred and such portion of the estate shall not pass to the other heirs appearing but shall escheat to the State of Washington without further order of the court. That this is a statute of limitation.

*Section 1533-D.* Provided, further, That where a decedent executes a will, and by the terms of the will disinherits, or disinherits by giving a specific amount and no more, to those who would under the law take by succession if decedent had died intestate if there are no heirs to take the property of decedent other than the heirs so disinherited, the property shall escheat to the State of Washington and be paid to the state treasurer for the permanent common school fund: Provided, However, This section shall not apply to the surviving spouse nor to the children of the decedent, nor to the lawful issue of any deceased child of the decedent. This section shall apply to all estates now pending in any of the courts of this state or being appealed or pending in the supreme court of this state whether the death of the decedent was before or after the passage of this law.

Sec. 10. That Section 170 of Remington's Compiled Statutes be amended to read as follows:

Section 170. If a person entitled to bring an action die before the expiration of the time limited for the commencement thereof, and the cause of action survive, an action may be commenced by his representatives after the expiration of the time and within one (1) year from his death. If a person against whom an action may be brought die before the expiration of the time limited for the commencement thereof, and the cause of action survives, \* \* \* the statute of limitations continues to run and is not suspended by his death.

Sec. 11. That the manager, agent or secretary of each and every public service company having funds or property in its possession as an advance deposit, or funds or property in its possession consisting of an overcharge, shall within thirty (30) days after this law becomes effective and within fifteen (15) days of the first day of December of each and every year thereafter, return to the supervisor a sworn state-

ment showing the amount standing to his credit, the last known address or post office address, and the fact of death, if known to such managing agent, or secretary, of every owner of property in its possession who has made no claim for such fund or property and has not been personally heard from for seven (7) years next preceding the date of the filing of the sworn statement; and in such statement shall give the amount of the funds or property, the last known address of the owner, and shall pay in to the state treasurer each claim of five dollars (\$5) or less forthwith. That the treasurer of any municipality shall make the report for such municipality, as in this paragraph provided for private corporations, and the municipality shall make the payment of each claim of five dollars (\$5) or less to the state treasurer for such municipality: Provided, however, That if the court of final jurisdiction should hold for any reason, this provision for the payment directly to the state treasurer of all sums of five dollars (\$5) and less is invalid as to certain sums, then in that event such sums should be recovered by the state as provided in Sections 3291-B and 3291-C of this act; and such holding of the court shall not effect the validity of this act as to other funds as required herein to be paid directly to the state treasurer. All funds over five dollars (\$5) shall be recovered by the state as provided in Sections 3291-B and 3291-C.

Sec. 12. That the managing agent or secretary of each and every public service company, and each and every corporation having any funds or property in its possession under the provision of Section 5 of this act shall within thirty (30) days after this law becomes effective and within fifteen (15) days of the first day of December of each and every year thereafter return to the supervisor a sworn statement showing the amount standing to his credit, the last known place of address, or post office address, and the fact of death if known to said managing agent or secretary, of every owner of property in its possession, who has not been heard from for the period of more than seven (7) years next preceding, and in this statement shall be given each and every stockholder, and each and every bondholder, and every claimant to any funds or property, to any stock of such corporation, or any of the bonds of such corporation, or to any funds or property illegally collected or held, the owner or claimant of the same not having been heard from for seven years (7) years or more immediately preceding the date of making the sworn return to the supervisor. It Is Further Provided, That the treasurer of any municipality shall make the return for such municipality as hereinbefore provided.

Any managing agent, secretary, or treasurer, neglecting or refusing to make the sworn statement required by this section shall be guilty of a gross misdemeanor.

The supervisor shall file his complaint in the superior court in which he shall claim that said property has escheated to the State of Washington and the procedure subsequent shall be as provided in Sections 3291-B and 3291-C of this act, and after judgment in favor of the State of Washington, the funds shall be paid in to the state treasurer, and the rights of all parties thereto shall forever be barred, unless within two (2) years, as provided in such sections, the rightful claimant establishes his ownership, in which event said property shall be returned under the condition provided in Section 3291-D.

This section shall apply to all funds in an amount each of over five dollars (\$5) and to all funds of five dollars (\$5) or under if for any reason the payment of such funds as provided in Section 9 herein is unenforceable.

In any bankruptcy or insolvency proceeding within this state under the laws of the United States or the laws of this state, all unclaimed property in the custody of the bankrupt or insolvent, his trustee, receiver or assignee, and all claims against the bankrupt or insolvent, his trustee, receiver and assignee when the claimant of such property or the owner of such claim has disappeared and remained absent and unheard of for a period of more than five (5) years, such property held by the bankrupt or insolvent, his trustee, receiver, or assignee and all such claims against such bankrupt or insolvent are escheated to the State of Washington, without further procedure other than in this paragraph provided. The supervisor shall file all necessary proofs of claim for the State of Washington for such unclaimed property, and such property so unclaimed and the dividends thereon shall be paid to the treasurer of the State of Washington for the permanent common school fund; and unless the owner shall appear within two (2) years from and after the date of the payment of any such claim to the treasurer and prove his right to the same, as provided in Section 3291-D, all his rights thereto shall forever be barred.

Sec. 13. Any officer or any agent of any firm, institution, company, association, corporation or bank having or keeping an office within this state or transacting business within this state who has in his custody or under his control any book, record, account, paper or document of such firm, institution, company, association, or corporation, who refuses to give to the supervisor or his attorney or any of his assistants lawfully demanding during the office hours to inspect or take a copy of the same or any part thereof for the purpose of obtaining information desired by the supervisor in his opinion necessary to carry out the provision of this law, or reasonable opportunity so to do, and who shall fail to make the reports required by this act, shall be liable to a penalty of not less than two thousand dollars (\$2000), and in addition thereto liable for the amount of the value of the property involved, and this penalty may be enforced in an action brought by the State of Washington by the supervisor in any court of competent jurisdiction.

Whenever the supervisor shall have reasonable cause to believe that any such person, firm, institution, company, association or corporation has possession, custody, or control of any book, books, accounts, papers, or documents which may disclose the fact that any of its stock or bonds or other evidence of its indebtedness or any property held by it, has escheated, the supervisor or his attorney or any assistants of the supervisor, is hereby authorized and empowered to inspect the books, accounts, records, papers, or documents of any such firm, institution, company, association, or corporation, including the stock transfer book of any corporation, and all other records, and to administer oath to and examine any such person, officer, or agent of such firm, institution, company, association or corporation, for the purpose of acquiring any information deemed necessary or advisable by said supervisor or his attorney, or his assistants, for the purpose of securing the property escheated to the State of Washington under the terms hereof. Any and all information and records acquired by said supervisor, his attorney, or assistant, shall be deemed and held by said supervisor, his attorney, and assistants, and each of them as confidential, and shall not be divulged, disclosed, or made known by them or any of them, except insofar as may be necessary for the enforcement of the provisions of this act. Any supervisor ex-supervisor, his attorney or ex-attorney, assistants or ex-assistants, who shall divulge, disclose, or make known any information acquired by such inspection or examination aforesaid, except insofar as the same may be necessary for the enforcement of the provisions of this act shall be guilty of a misdemeanor.

Sec. 14. It shall be the duty of the clerk of each of the superior courts and each county treasurer in this state, when any money which shall have been heretofore or shall hereafter be deposited with such clerk or county treasurer for any person as the heir, devisee, distributee, or creditor of a deceased person, or judgment creditor, or otherwise, shall have remained on deposit with such clerk or county treasurer for a period of one (1) year from the date of its receipt by such county clerk or county treasurer, to pay such funds to the treasurer of the State of Washington, and furnish the treasurer of the State of Washington a complete descriptive list of such funds paid by the clerk and the county treasurer to the state treasurer, and file a copy thereof forthwith with the supervisor of the inheritance tax and escheat division. The treasurer of the State of Washington shall place the same in the permanent common school fund of the state as escheated property: Provided, However, That if any one shall appear within two years and establish in court under the proper proceedings that he is entitled to any part of such funds, the judge shall enter judgment in his favor and the same shall be paid, without costs however, to such claimant from the general fund of the State of Washington; that all persons having a right, title and interest to such funds who fail to appear within two (2) years from the date the same is paid into the state treasury, shall forever be barred from asserting any claim in and to said funds.

Sec. 15. The meaning of the word "bank" as used in this act, shall include mutual savings bank, savings and loan association and bank organized and existing under the laws of this state, or under the laws of the United States, or under the laws of any other government or state, whether owned by an individual, copartnership, or corporation.

Sec. 16. The word "deposit" as used in this act shall include all savings deposits, savings accounts, commercial deposits, certificates of deposits, both time and demand, cashier's checks, certified checks, deposits of trust funds, shares in savings and loan associations or societies or deposits or accounts which may have been absorbed with so-called service charges, or deposits for bank drafts against correspondent bank

or banks and not cashed and returned, or moneys or intangible property deposited in safety deposit boxes, or tangible or intangible property deposited in escrow, all shares in savings and loan associations and societies.

*Sec. 17.* Where the word "supervisor" is used in this act the same shall be construed to mean the supervisor of the inheritance tax and escheat division of the state tax commission.

*Sec. 18.* The meaning of public service company, when used in this act includes every corporation, company, association, joint stock association, partnership, and person, their lessees, trustees, or receivers appointed by any court whatsoever, engaged as a common carrier, gas company, electric company, water company, telephone company, telegraph company, wharfinger, warehouseman, express company, as defined by Section 10344 of Remington's Compiled Statutes.

*Sec. 19.* That if any of the banks, companies or officials holding any escheated property pay or deliver any of the property to a claimant, the burden of proof is on the banks, companies or officials to prove by fair and convincing evidence that the claimant receiving the money is the owner of the same, and upon failure to make such proof, the fact of payment would be no defense against the action of the State of Washington for such fund or property.

*Sec. 20.* Section 1535 to 1539, inclusive, of Remington's Compiled Statutes, be and the same are hereby repealed.

*Sec. 21.* That in case any part or portion of this act shall be held unconstitutional, such holding shall not affect the validity of this act as a whole, or any other part or portion of this act not adjudged unconstitutional, or any other act to which the same relates.

*Sec. 22.* This act is necessary for the support of the state government and its existing institutions and shall take effect immediately.

The Secretary called the roll on the final passage of House Bill No. 552, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dailey, Gannon, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, Miller, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Peirce, Roland, Ronald, Ryan, (J. H.) Shorett, Stinson, Tewksbury, Thomas, Worum—24.

Those voting nay were: Senators Dawson, Drumheller, Garrett, Metcalf, Morrow, Reardon, Thein, Todd—8.

Absent or not voting: Senators Bengtson, Duggan, Farquharson, Ferryman, Keller, Maxwell, McMillan, Mehner, Murfin, Nugent, Orndorff, Ryan (Scott M.), Smith, Steele—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. 286**, by Representative McDonald (D. A.) (by departmental request), entitled: "An Act providing that no bond shall be required of the State of Washington in any of the courts of this state," was read the third time.

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 Barnes, Brunton, Dailey, Dawson, Drumheller, Duggan, Gannon, Garrett, Kyle, Lovejoy, McAulay, Metcalf, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Worum—31.

Those voting nay were: Senator Kerstetter—1.

Absent or not voting: Senators Bengtson, Farquharson, Ferryman, Keller, Knutzen, Malstrom, Maxwell, McMillan, Mehner, Murfin, Nugent, Orndorff, Steele, Todd—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. 585**, by Representative Neff (by departmental request), entitled: "An Act prescribing the duty of the commissioner of public lands with regard to the reimbursement of the United States government for emergency conservation work in cases where the state realizes a profit from such work."

On motion of Senator Lovejoy, the Senate resolved itself into a committee of the whole to consider House Bill No. 585.

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.

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

Senator Miller moved that the reading 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. 585, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Metcalf, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein—35.

Those voting nay were: Senator Thomas—1.

Absent or not voting: Senators Farquharson, Maxwell, McAulay, Mehner, Murfin, Nugent, Orndorff, Steele, Todd, Worum—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. 477**, by Representative Neff, entitled: "An Act providing for the acquiring of forest lands by the state forest board and authorizing the issuance and disposition of \$300,000.00 of utilities bonds of the state of Washington; amending Section 3-b of Chapter 288 of the Laws of 1927 and Section 1 of Chapter 117 of the Laws of 1933," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 477, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Duggan, Farquharson, Gannon, Keller, Knutzen, Lovejoy, McMillan, Mehner, Metcalf, Murfin, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Worum—26.

Those voting nay were: Senators Brunton, Dailey, Dawson, Garrett, Kyle, Miller, Morrow, Murphy (James A.), Tewksbury—9.

Absent or not voting: Senators Barnes, Drumheller, Ferryman, Kerstetter, Malstrom, Maxwell, McAulay, Murphy (Kebel), Nelson, Reardon, 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. 198**, by Representatives Haddon and Halleran, entitled: "An Act authorizing and directing the Washington State Highway Department and the Department of Public Works to make a survey and valuation of the toll bridge across Sinclair's Inlet from Bremerton to East Bremerton and providing for the purchase of said toll bridge by the State of Washington."

On motion of Senator Reardon, the Senate resolved itself into a committee of the whole to consider House Bill No. 198.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Mehner, the following amendments made in the committee of the whole were adopted:

Amend the title, line 4; strike the period (.) and insert in lieu thereof a comma (,) and add the following: "and making an appropriation therefor."

Amend Section 1, line 7, page 1 of the printed bill; strike the word "full" and insert in lieu thereof the word "true."

Amend Section 1, line 7, page 1 of the printed bill; after the word "thereof." add the following:—"Deterioration and depreciation of said bridge must be considered by the highway department."

Senator Murphy (Kebel) 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. 198, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, Mehner, Miller, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Worum—30.

Those voting nay were: Senators Kyle, McMillan, Morrow, Murphy (Kebel), Peirce, Thomas—6.

Absent or not voting: Senators Dailey, Duggan, Farquharson, Gannon, Maxwell, McAulay, Metcalf, Nelson, Tewksbury, 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.

**Engrossed House Bill No. 376**, by Representatives Jones and Smith (B. L.), entitled: "An Act authorizing and directing the Department of Highways to make a survey and valuation of the toll bridge across the Columbia River at Brewster, Washington on State Road No. 10 extension from the vicinity of Brewster to the vicinity of Coulee City, Washington, together with the approaches to said bridge which are not now a part of the primary highway system and providing for the purchase thereof by bargain and sale or by condemnation, or for the acquisition by purchase or condemnation of the necessary approaches and right-of-way for, and construction of, a new bridge at a feasible place near said toll bridge."

On motion of Senator Norman, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 376.

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 Norman 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. 376, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Todd, Worum—41.

Those voting nay were: Senator Thomas—1.

Absent or not voting: Senators Garrett, Lovejoy, McAulay, 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.

**House Bill No. 497**, by Representative Ledgerwood, entitled: "An Act providing for use of funds from the motor vehicle fund in cooperation with other funds for the construction of a bridge between Clarkston, Washington, and Lewiston, Idaho, over the Snake River."

On motion of Senator Norman, the Senate resolved itself into a committee of the whole to consider House Bill No. 497.

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 Norman 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. 497, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—39.

Those voting nay were: Senator Thomas—1.

Absent or not voting: Senators Farquharson, Gannon, Knutzen, McAulay, Norman, Nugent—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. 689**, by Representatives Skinner, Mackie and Twidwell, entitled: "An Act authorizing acquisition by the State of Washington of all interest, share, right and title of the cities of Aberdeen, Hoquiam, and Grays Harbor County in and to certain bridges located on State Highways, namely; the Wishkah River Bridge in the City of Aberdeen, crossing the Wishkah River on State Road No. 9; the Chehalis River Bridge in the City of Aberdeen, crossing the Chehalis River on State Road No. 13; the Simpson Avenue Bridge in the City of Hoquiam, crossing the Hoquiam River on State Road No. 9; the Little Hoquiam River Bridge in the City of Hoquiam, crossing the Little Hoquiam River on State Road No. 9; providing methods for acquisition thereof and payment therefor, and providing for the operation and control of said bridges by the State of Washington, and declaring that this act shall take effect immediately."

On motion of Senator Norman, the Senate resolved itself into a committee of the whole to consider House Bill No. 689.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Smith, the following amendments made in the committee of the whole were adopted:

Amend Sec. 4, line 31, page 2 of the printed bill, following the word "by" insert the following: "the director of highways and."

Amend Sec. 5, line 41, page 2 of the printed bill, following the word "by" insert "the director of highways and."

Senator Norman 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. 689, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—44.

Absent or not voting: Senators Duggan, McAulay—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. 104**, by Representative Keen, entitled: "An Act to provide for a bridge across Columbia Slough from Puget Island in the Columbia River to Cathlamet, Wahkiakum County, and making the necessary appropriation therefor."

On motion of Senator Norman, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 104.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Norman, the amendment made in the committee of the whole was adopted, as follows:

Amend Section 1, line 2 of the House amendment; strike the word "highway" and insert "motor vehicle."

Senator Norman 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. 104, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—41.

Absent or not voting: Senators Duggan, Gannon, Lovejoy, Maxwell, McAulay—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 Nelson, the Senate referred back to the first order of business for the purpose of presenting a resolution.

The Secretary read:

**Senate Joint Resolution No. 24**, by Senator Nelson: "Providing for an appeal by the Legislature of the State of Washington for restoration of Old Fort Vancouver to the Public Works Administration of the Federal Government."

On motion of Senator Nelson, the rules were suspended, the resolution 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. 24, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Gannon, Garrett, Keller, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Metcalf, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—34.

Absent or not voting: Senators Drumheller, Farquharson, Ferryman, Kerstetter, Knutzen, Maxwell, Mehner, Miller, Murfin, Norman, Orndorff, Steele—12.

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

On motion of Senator Nelson, Senate Joint Resolution No. 7 was ordered immediately transmitted to the House.

On motion of Senator Peirce, all bills passed today were ordered immediately transmitted to the House.

At 5:30 o'clock p. m., on motion of Senator Malstrom, the Senate recessed until 8:00 o'clock p. m.

**EVENING SESSION.**

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The Senate reconvened at 8:00 o'clock p. m., President Meyers in the Chair.

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 13, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Senate Bill No. 333, entitled: "An Act relating to public roads, making appropriations for salaries, wages and operations of the department of highways, for location, right of way, improvement, construction, reconstruction, maintenance, special maintenance and emergencies for primary roads; making appropriation for purposes specified in certain acts of congress and for miscellaneous purposes, prescribing the powers and duties of certain officers; making appropriations to counties and incorporated cities and towns for secondary roads and certain city streets, and for supervision; making appropriation for the state auditor, creating the highway equipment fund and making appropriation therefrom; defining terms and declaring that this act shall take effect immediately," have compared same with the original bill and find it correctly engrossed.

Respectfully submitted,  
A. M. MURFIN, *Chairman.*

We concur in this report: J. W. Thein, W. C. Dawson.

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

The Secretary read:

**REPORTS OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Substitute Senate Bill No. 86, entitled: "An Act relating to banks and trust companies other than mutual savings banks; providing for separate accounts for savings deposits and the repayment thereof; repealing Sections 11 to 18, both inclusive, Chapter 42, Laws of 1933; (Remington's Revised Statutes 3244-1 to 3244-3, both inclusive, 3245, 3245-1, 3246, 3246-1 and 3253-1; Pierce's Washington Code Sections 287-1, 287-2, 287-3, 288, 288-1, 289, 289-1 and 296-1," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 253, entitled: "An Act relating to the investment of current funds of the State of Washington by the state finance committee," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 252, entitled: "An Act relating to the investment of funds of the Accident Fund and the Reserve Fund created by the Workmen's Compensation Act of the State of Washington," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, D. E. McMillan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 254, entitled: "An Act providing for a loan from the general fund to the capitol building construction fund, providing for the repayment of the same, making appropriations, and declaring that this act shall take effect on April 15, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, D. E. McMillan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 353, entitled: "An Act relating to intoxicating liquors, amending Section 78 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington (Section 7306-78, Rem. Rev. Stat.) and declaring that this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, D. E. McMillan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 250, entitled: "An Act prohibiting the sale of intoxicating liquors within prescribed limits of state educational institutions, and repealing Sections 1 and 2 of Chapter 98 of the Laws of 1903, as amended by Sections 1 and 2 of Sub-Chapter 21 of Chapter 97 of the Laws of 1909, the same being Sections 5102 and 5103, respectively, of Remington's Revised Statutes," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, D. E. McMillan.

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

The Secretary read:

#### REPORT OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed Substitute House Bill No. 60, entitled: "An Act providing assistance for blind students attending state institutions of higher learning within the State of Washington; appro-

prising money 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.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: J. A. Murphy, Scott M. Ryan, E. L. Brunton, W. C. Dawson, Kathryn E. Malstrom, Geo. A. Lovejoy, G. B. Kerstetter, J. Drumheller, Chas. H. Todd, Ed. Peirce, D. O. Nugent.

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

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 13, 1935.

*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. 155: "An Act declaring the existence of a state and national agricultural emergency; declaring the policy of the legislature; providing for the regulation and control of the production, storage, transportation, industrial advertising, merchandising, price and distribution of agricultural commodities; approving and adopting the provisions of the National Agricultural Adjustment act and any marketing agreement or license approved or prescribed by the Secretary of Agriculture of the United States; defining marketing agreements; regulating the purchase of agricultural commodities by the state or its subdivisions; establishing standards of fair competition; empowering the Director of Agriculture, with the approval of the Governor, to adopt or prescribe marketing agreements, to make rules and regulations to control the production, storage, transportation, industrial advertising, merchandising, sale and distribution of agricultural commodities, and to issue, suspend or revoke licenses licensing persons handling or processing agricultural products; designating the persons entitled to licenses; granting jurisdiction to courts for the enforcement of this act and marketing agreements approved or prescribed hereunder; making it unlawful for any person to engage in handling, retailing, processing or wholesaling agricultural products without a license; fixing license fees; making an appropriation for the administration of this act; defining agricultural commodities; and declaring that this act shall take effect immediately.

Yours very truly,

RICHARD HAMILTON,  
*Secretary to the Governor.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

The House has passed Substitute Senate Bill No. 113 with the following amendments:

In Section 15, page 5, line 12 of the substitute bill, being line 30, page 3 of the printed bill, after the period (.) add the following:

"If the commission shall find and report that the proposed project is not feasible, the state director shall dismiss the petition."

In Section 22, line 19 of the substitute bill, being line 42, page 4 of the printed bill, strike the word "curves" and insert in lieu thereof the word "courses."

In Section 32, line 30 of the substitute bill, being line 31 of the printed bill, after the word "commissions" and before the word "such" strike the word "or" and insert in lieu thereof the word "of."

In Section 34, page 11, line 14 of the substitute bill, being line 42 of the printed bill, after the word "district," strike the balance of the section, insert a comma (,) and add the following:

"for the control of waters subject to flood conditions from streams tidal or other bodies of water, affecting such district, may inside or outside the boundaries of the district, construct, operate and maintain dams and impounding basins and dikes, levies, revetments, bulk-heads, rip-rap or other protection; may remove bars, logs, snags and debris from and clear, deepen, widen, straighten, change, relocate or otherwise improve and maintain stream channels, main or overflow; and may construct, operate and maintain any and all other works, structures and improvements necessary for such control; and for any such purpose may purchase, condemn, or otherwise acquire land and property, including beds of non-navigable waters and state, county and school lands, and property and may damage any land or other property for any such purpose, and may condemn land and other property and damage the same for any other public use after just compensation having been first made or paid into court for the owner in the manner prescribed by this act."

In Section 36, line 6 of the substitute bill, being line 16 of the printed bill, after the word "construction," and before the word "or" insert the words "reconstruction or repairs."

In Section 51, line 29 of the substitute bill, being line 38 of the printed bill, strike the words "public officers" and the comma (,).

In Section 53, line 20 of the substitute bill, being line 11 of the printed bill, strike the word "secretary" and insert in lieu thereof the word "clerk."

In Section 54, line 27 of the substitute bill, being line 16 of the printed bill, strike the word "secretary" and insert in lieu thereof the word "clerk."

In Section 64, line 3 of the substitute bill, being line 25 of the printed bill, strike the words "operation of the."

In Section 68, line 22 of the substitute bill, being line 39 of the printed bill, strike the word and figures "Sec. 68" and the period (.) following; in Sec. 69, line 5 of the substitute bill, being line 5 of the printed bill, strike the word and figures "Sec. 69" and the period (.) following, and change the remaining section numbers of the bill to conform.

In Section 68, line 23 of the substitute bill, being line 39 of the printed bill, strike the word "election" and insert in lieu thereof the word "elections."

In Section 73, line 11 of the substitute bill, being line 34 of the printed bill, strike the word "secretary" and insert in lieu thereof the word "clerk."

In Section 73, line 12 of the substitute bill, being line 35 of the printed bill, after the word "district" and before the comma (,) insert the word "auditor."

In Section 75, line 20 of the substitute bill, being line 20 of the printed bill, strike the word "secretary" and insert in lieu thereof the word "clerk."

In Section 75, line 29 of the substitute bill, being line 27 of the printed bill, strike the word "secretary" and insert in lieu thereof the word "clerk."

In Section 76, line 17 of the substitute bill, being line 42 of the printed bill, after the word "district," strike the balance of the section and insert in lieu thereof the following: "and the board or boards of county commissioners theretofore constituting the said board of directors of the flood control district shall each year levy taxes as in this act provided until said outstanding obligations of the district are fully paid." and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Garrett moved that the Senate concur in the House amendments to Substitute Senate Bill No. 113.

The motion by Senator Garrett carried.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 113, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—41.

Absent or not voting: Senators Drumheller, Mehner, Norman, Reardon, Roland—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 12, 1935.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 350 with the following amendments:

In Section 3, Subsection 7, line 20 of the engrossed bill, being Section 3, Subsection 7, line 16 of the printed bill, after the period (.) following the word "Commission" add the following:

"Provided employment as defined herein shall not include services performed in the employ of a corporation, Community Chest, Fund, or Foundation, Organization and operated exclusively for religious, charitable, scientific, literary, or educational purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual."

Strike all of Section 24 and insert in lieu thereof, the following:

"SEC. 24. This act is to become operative in the State of Washington from and after the enactment date of the Wagner-Doughton Bill which is now before the Congress of the United States."

After the semicolon (;) following the word "Congress" in line 10 of the title of the printed bill, strike the following words: "declaring an emergency and providing that this act shall take effect immediately," and insert in lieu thereof the following words: "This Act shall become effective in the State of Washington from and after the enactment date of the Wagner-Doughton Bill which is now before the Congress of the United States."

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Shorett moved that the Senate concur in the House amendments to Engrossed Substitute Senate Bill No. 350.

The motion by Senator Shorett carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 350, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—39.

Those voting nay were: Senators Roland, Thomas—2.

Absent or not voting: Senators Mehner, Miller, Norman, Reardon, Ronald—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 13, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 112, with the following amendments:

In Section 1, line 2 of paragraph "Ninth" of the Engrossed bill strike the words "or the land is redeemed,".

In Section 1, in lines 5 and 6 of paragraph "Ninth" of the Engrossed bill strike the words "assessments of other irrigation districts" and insert in lieu thereof the words "all existing irrigation district assessments."

In Section 1, line 4 of paragraph "Tenth" of the Engrossed bill strike the period after the word "encumbrances" and add the following "except drainage or diking improvement district assessments or installments thereof not delinquent at the time of the sale, also except all existing irrigation district assessments not delinquent at the time of the sale, pursuant to which said deed issued."

In Section 1 strike all of paragraph "Eleventh" after the word "Eleventh" of the Engrossed bill and substitute in lieu thereof the following: "If the irrigation district reconveys, which it may do upon installments or for cash, any lands so acquired by it to a grantee who has a right to such reconveyance under Section 7445 of Remington's Revised Statutes, the grantee, before receiving deed, shall pay all the taxes, drainage improvement district and irrigation district assessments, which had been cancelled by the deed to the irrigation district, such payment being made to the County Treasurer for the benefit of the respective taxing districts entitled thereto, and such grantee shall also pay any expenses of the irrigation district incurred in caring for, operating, or improving said land."

In Section 1, line 2 of paragraph "Twelfth" of the Engrossed bill after the word "shall" insert a comma (,) and the following: "unless the taxes and assessments have been paid under the provisions of the preceding paragraph,".

In Section 1, line 6 of paragraph "Twelfth" of the Engrossed bill, strike the word "amount" and all the remaining portion of said paragraph and insert in lieu thereof the words "amounts of the respective liens cancelled by the deed to the irrigation district or to the county, provided that there can be first deducted therefrom and reimbursed to the district or county advancing same, any expenses incurred in caring for, operating, or improving said land."

Amend the bill by adding a new section to be known as Sec. 2, as follows:

"Sec. 2. This act shall take effect as of January 1, 1936."

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Murfin moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 112.

The motion by Senator Murfin carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 112, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—39.

Absent or not voting: Senators Brunton, Drumheller, Keller, Maxwell, Reardon, Ronald, Tewksbury—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 Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

The House refuses to concur in the Senate amendment to Engrossed House Bill No. 590 and asks the Senate to recede therefrom, and the same bill is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Murfin moved that the Senate recede from its amendments to Engrossed House Bill No. 590.

The motion by Senator Murfin carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 590, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Thein, Todd, Worum—35.

Those voting nay were: Senators Morrow, Murphy (Kebel), Roland, Ryan (Scott M.), Thomas—5.

Absent or not voting: Senators Farquharson, Gannon, Maxwell, Nugent, Reardon, Tewksbury—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.

MR. PRESIDENT:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 13, 1935.

The House has concurred in the Senate amendment to House Bill No. 176, and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to Engrossed House Bill No. 238, and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendment to House Bill No. 327, and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to Engrossed House Bill No. 370, and passed the bill as amended by the Senate. S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

MR. PRESIDENT:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 13, 1935.

The House has passed:

Substitute Senate Bill No. 39; also

Engrossed Senate Bill No. 85; also

Senate Bill No. 105; also

Senate Bill No. 110; also

Senate Bill No. 270; also

Engrossed Senate Bill No. 299; also

Senate Bill No. 307; also

Engrossed Senate Joint Resolution No. 19; also

Engrossed Senate Bill No. 340; also

Substitute Senate Bill No. 257; also

Substitute Senate Bill No. 70; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

#### GENERAL FILE.

Engrossed House Bill No. 223, by Representatives Lynch and Lindgren, entitled: "An Act relating to the practice of optometry, providing for the regulation of the same and providing penalties for the violation thereof and amending Section 7, Chapter 144 of the Laws of 1919," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 223, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Maxwell, Murphy (Kebel), Nugent, Peirce—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. 271**, by Representative Yantis, entitled: "An Act defining the term 'auto transportation company' and amending Section 6387, subdivision (d), of Remington's Revised Statutes of Washington," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 271, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Morrow, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—39.

Absent or not voting: Senators Maxwell, Miller, Murfin, Murphy (Kebel), Peirce, Roland, 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.

**Engrossed Substitute House Bill No. 500**, by Committee on Agriculture, entitled: "An Act relating to the branding, tattooing, identification, shipping, transporting or driving of livestock; providing for the administration of same; providing penalties for the violation thereof; providing for the publishing of records of such tattoo marks and brands; providing for fees for the registration thereof; providing for licensing and bonding persons butchering and slaughtering animals; making an appropriation; and providing for the cancellation of existing brands," was read the third time.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 500, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dawson, Drumheller, Duggan, Farquharson, Gannon, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Norman, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thein, Thomas, Todd, Worum—35.

Those voting nay were: Senators Brunton, Dailey, McAulay—3.

Absent or not voting: Senators Ferryman, Keller, Maxwell, Murfin, Murphy (Kebel), Nugent, Roland, 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. 511**, by Representatives Ledgerwood, Jones and Klemgard, entitled: "An Act relating to inspection, grading and weighing of commodities, requiring all license fees and inspection fees collected under Chapter 189 of the Laws of 1919, as subsequently amended by amendatory acts thereof, to be deposited in the grain and hay inspection fund, requiring public warehouses to obtain certificates of public necessity and convenience and amending Sections 13 and 22 of Chapter 189 of the Laws of 1919, as subsequently amended by amendatory acts thereof, and amending Chapter 189 of the Laws of 1919 by adding thereto a new section to be known as Section 22-a," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 511, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Gannon, Garrett, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Stinson, Tewksbury, Thein, Worum—34.

Those voting nay were: Senators Kerstetter, Ryan (Scott M.), Thomas, Todd—4.

Absent or not voting: Senators Dawson, Ferryman, Keller, Maxwell, Murphy (Kebel), Roland, Smith, Steele—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. 277**, by Representative Sullivan, 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, designating the duties of certain officials, providing for relief and compensation for volunteer firemen; creating a Board of Trustees in each municipality for the maintenance and distribution of said fund; empowering municipalities to limit the membership of said volunteer fire departments, and requiring medical and physical examinations for members of said fire departments," was read the third time.

The Secretary called the roll on the final passage of Engrossed House Bill No. 277, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thomas, Worum—40.

Absent or not voting: Senators Barnes, Keller, Roland, Smith, Thein, 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. 148:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, your Committee on Liquor Control, to whom was referred Engrossed House Bill No. 148, entitled: "An Act relating to the manufacture and sale of wine, providing for the licensing of wineries and the taxation of wine, and amending Chapter 62, Laws of the Extraordinary Session, 1933, entitled: 'An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds 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 by striking the whole of Sec. 2 on page 4 and inserting in lieu thereof the following:

SEC. 2. That Section 23 of Chapter 62 of the Laws of the Extraordinary Session of 1933, the same being Section 7306-23 of Rem. Rev. Stat., be amended and the subsections thereof renumbered to read as follows:

Section 23. There shall be the following classes of licenses at the annual license fees hereinafter set forth:

1. License to manufacturers of liquor, including all kinds of manufacturers except distillers, brewers, and wineries and domestic wineries; fee: \$1,000.00.
2. License to manufacturers of malt liquor; fee based on the preceding calendar year's production, at the rate of \$50.00 per thousand barrels annual production or fraction thereof, with a minimum fee of \$250.00.
3. License to wineries; fee: \$25.00; License to domestic wineries; fee: \$5.00.
4. License to distillers, including blending, rectifying and bottling; fee: \$2,500.00:

*Provided*, That the board shall license stills used and to be used solely and only by a commercial chemist for laboratory purposes, and not for the manufacture of liquor for sale, at a fee of \$10.00: *Provided, further*, That the board shall license stills used and to be used solely and only for laboratory purposes in any school, college or educational institution in the state, without fee: *Provided, further*, That the board shall license stills which shall have been duly licensed as fruit and/or wine distilleries by the Federal Government, used and to be used solely as fruit and/or wine distilleries in the production of fruit brandy and wine spirits, at a fee of \$50.00;

5. License to brewers and beer wholesalers to sell beer, manufactured within or without the state, to licensed wholesalers and/or to holders of retail licenses under Subsections 6, 7, 8, 11, 12, and 14 hereof; fee: \$250.00; for each distributing unit.

For the purpose of this act brewers and beer wholesalers whose products are sold by licensees in this state, but whose plant or principal place of business is located elsewhere shall be deemed to be beer wholesalers within the provisions of this act and shall obtain wholesalers' licenses and appoint statutory agents in this state, upon whom process may be served.

6. License to dining, club, and buffet cars on passenger trains to serve such liquors as may be permitted to be served by the individual glass or opened bottle at retail, for consumption on the premises only, under the provisions of this act, by restaurants, hotels, and others of a similar class; which license shall be issued to any corporation, association or person operating any such car within the state upon payment of a fee of one hundred fifty dollars (\$150.00), which shall be a master license, and shall permit such sale upon one such car; and upon payment of the additional sum of five dollars (\$5.00) per car, such license shall extend to additional cars operated by the same licensee within the state, and duplicate licenses for such additional cars shall be issued: *Provided*, That such licensee may make such sales upon cars in emergency for not more than five consecutive days without such license.

7. Retailer's license, Class A. License to sell beer by the individual glass or opened bottle at retail, for consumption on the premises only; such license to be issued only to hotels, restaurants, drug stores or soda fountains, dining places on boats and aeroplanes, and to clubs:

8. Retailer's license, Class B. License to sell beer by the individual glass or opened bottle at retail, for consumption on the premises only; such license to be issued only to a person operating a tavern.

9. Retailer's license, Class C. License to sell wine by the individual glass or opened bottle at retail, for consumption on the premises only; such license to be issued to hotels, restaurants, dining places on boats and aeroplanes, clubs, and to taverns.

10. Classification—The fees for Class A and B retail licenses issued under subsections 7 and 8 hereof, in cities and towns, shall be graduated according to the population thereof, as follows:

Cities and towns of less than 10,000; fee: \$50.00;

Cities and towns of 10,000 and less than 100,000; fee: \$100.00;

Cities and towns of 100,000 or over; fee: \$150.00;

Fees for licenses issued under subsections 7 and 8 hereof, outside the limits of cities and towns shall be \$150.00.

The fee for Class C retail license issued under subsection 9 hereof, in cities and towns, shall be graduated according to the population thereof, as follows:

Cities and towns of less than 10,000; fee: \$37.50;

Cities and towns of 10,000 and less than 100,000; fee: \$75.00;

Cities and towns of 100,000 or over; fee: \$112.50;

Fees for licenses issued under subsection 9 hereof, outside the limits of cities or towns shall be \$112.50.

11. Retailers license, Class D. License to sell pasteurized beer by the opened bottle at retail, for consumption upon the premises only, such license to be issued to hotels, restaurants, dining places on boats and aeroplanes, clubs, drug stores, or soda fountains, and such other places where the sale of beer is not the principal business conducted; fee: \$50.00.

12. Retailer's license, Class E. License to sell pasteurized beer at retail in bottles and original packages, not to be consumed upon the premises where sold, at any store other than the state liquor stores; fee: \$10.00 for each store.

13. Retailer's license, Class F. License to sell wine in bottles and original packages, not to be consumed on the premises where sold, at any store other than the state liquor stores: *Provided*, Such licensee shall pay to the state liquor stores for such wines the current retail price; fee: \$10.00;

14. Retailer's license, Class G: Special license to a society or organization to sell beer at picnics or other special occasions at a specified date and place; fee: \$5.00 per day.

15. License to clubs, entitling each member of the club to keep on the premises a reasonable quantity of liquor for personal consumption on the premises: *Provided*, That no club shall be entitled to such a license.

a. Unless such club had been in operation at least three years prior to the effective date of this act, or, the club, being thereafter formed, had been in continuous operation for at least one year immediately prior to the date of its application for such license: *Provided*, That by unanimous vote the board may waive the provisions of this subsection;

b. Unless the club premises be constructed and equipped, conducted, managed and operated to the satisfaction of the board and in accordance with this act and the regulations made thereunder;

c. Unless the board shall have determined pursuant to any regulations made by it with respect to clubs, that such club is a bona fide club; fee: \$100.00.

Amend by striking the whole of Section 3 and inserting in lieu thereof the following:

SEC. 3. That Section 24 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Section 7306-24 of Rem. Rev. Stat., be amended by adding a new section to follow immediately after Section 24 to be known as Section 24A to read as follows:

*Sec. 24A. All wines manufactured or produced in domestic wineries may be sold by the manufacturer or producer thereof direct to persons holding licenses entitling them to sell wine at retail under the provisions of this act. There is hereby imposed upon all wines manufactured or produced in domestic wineries and sold to retail licensees within the State a tax of ten cents per wine gallon. The tax herein provided for shall be collected by means of stamps to be furnished by the Board. Every person selling wine under the provisions of this section shall report all sales to the board in such manner, at such times and upon such forms as may be prescribed by the Board*

*in accordance with Section 25. Every such person shall procure from the Board revenue stamps representing the tax in such form as the Board shall prescribe and shall affix the same to the package or container in such manner and in such denomination as required by the Board and shall cancel the same prior to the delivery of the package or container containing the wine to the purchaser, and any person who shall sell, or attempt to sell wine not produced exclusively and entirely from products grown in the State, under this section shall be guilty of a violation of this act, and his license shall be summarily cancelled by the Board.*

*Every domestic winery shall put upon all packages containing wine manufactured by it a distinctive label in accordance with Section 45 and in addition such label shall show whether or not such wine is fortified or unfortified and the label shall contain a statement that the wine was produced exclusively and entirely from products grown in the State of Washington.*

Geo. A. LOVEJOY, Chairman.

We concur in this report: J. W. Thein, J. Drumbheller, Chas. H. Todd, J. P. Keller.

On motion of Senator Lovejoy, 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 Dailey moved the adoption of the following amendment:

Amend Section 1, on page 3 of the printed bill, in line 35, after the word "Washington," add the following: "PROVIDED, That grapes outside state of Washington may be used for blending purposes."

Senator Kerstetter moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Kerstetter carried.

Senators Keller, Ryan (J. H.) and Miller demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 148, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Farquharson, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Mehner, Morrow, Murphy (James A.), Norman, Orndorff, Peirce, Ryan (J. H.), Shorett, Stinson, Tewksbury, Thein, Thomas—21.

Those voting nay were: Senators Brunton, Dailey, Dawson, Duggan, Ferryman, Knutzen, Malstrom, Maxwell, McAulay, Metcalf, Miller, Murfin, Nugent, Reardon, Ronald, Steele, Worum—17.

Absent or not voting: Senators Drumbheller, McMillan, Murphy (Kebel), Nelson, Roland, Ryan (Scott M.), Smith, Todd—8.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Ferryman gave notice that at the proper time he would move to reconsider the vote by which Engrossed House Bill No. 148 failed to pass the Senate.

Senators Kyle, Miller and Ryan (J. H.) 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 Miller, the Senate proceeded under the call of the Senate.

Senator Ferryman moved to reconsider the vote by which Engrossed House Bill No. 148 failed to pass the Senate.

The motion by Senator Ferryman carried.

**RECONSIDERATION.**

Senator Maxwell moved the adoption of the following amendment to Engrossed House Bill No. 148:

Amend Section No. 24A: "PROVIDED, HOWEVER, That nothing in this section shall prevent a limited amount of grapes from outside the state for blending purposes."

Senator Kerstetter moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Kerstetter carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 148, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Mehner, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ryan (J. H.), Shorett, Stinson, Tewksbury, Thein, Thomas—27.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumbheller, Duggan, Garrett, Knutzen, McAulay, McMillan, Metcalf, Miller, Murfin, Ronald, Ryan (Scott M.), Smith, Steele, Todd, Worum—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.

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., March 13, 1935.

MR. PRESIDENT:

We, your Committee on Public Utilities, to whom was referred House Bill No. 311, entitled: "An Act permitting public service companies engaged in interstate commerce to withdraw from certain kinds of business, 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.

ED. PEIRCE, *Chairman.*

We concur in this report: Ralph Metcalf, J. H. Ryan, Paul G. Thomas, S. C. Roland, John F. Worum, D. E. McMillan.

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

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

We, your Committee on Game and Game Fish, to whom was referred Engrossed House Bill No. 464, entitled: "An Act relating to the establishment of a state game fund and disbursements therefrom, and amending Section 31, Chapter 3, Laws of 1933 (Section 5884\*, 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.

GEO. F. MCAULAY, *Chairman.*

We concur in this report: D. E. McMillan, H. E. Smith, J. W. Thein, Fred S. Duggan, D. O. Nugent, L. E. Tewksbury.

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

The Committee on Financial Institutions Other Than Banks recommended that Engrossed House Bill No. 664 do pass with certain amendments.

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

**GENERAL FILE.**

**House Bill No. 617:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred House Bill No. 617, entitled: "An Act relating to State Liquor Control Board, its powers and duties, and repealing all acts in conflict," 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 period after the word "conflict" and adding thereafter the words "and declaring an emergency."

Amend Section 1, line 8 of the original bill, the same being Section 1, line 2 of the printed bill, by striking the word "every" and inserting in lieu thereof the word "any;" by striking after the word "kind" and before the word "character" the word "and" and inserting in lieu thereof the word "or;" and by striking after the word "which" and before the word "been" the word "have" and inserting in lieu thereof the word "has."

Amend by adding a new section to be known as Sec. 5, which shall read as follows:

"SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety and the support of the state government and its existing public institutions and shall take effect immediately."

Geo. A. LOVEJOY, *Chairman.*

We concur in this report: G. B. Kerstetter, Paul Mehner, D. O. Nugent, J. Drumheller, J. H. Ryan, J. W. Thein, J. P. Keller.

SENATE CHAMBER,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Liquor Control, to whom was referred House Bill No. 617, 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.*

I concur in this report: Chas. H. Todd.

On motion of Senator Lovejoy, the reports of the committee were received and the bill was read the third time.

Senator Nugent moved that House Bill No. 617 be indefinitely postponed. The motion by Senator Nugent lost.

On motion of Senator Lovejoy, the committee amendments were adopted.

On motion of Senator Kyle, the following amendment was adopted:

Amendment to committee amendment by striking the word "has" and substituting the word "have" therefor.

Senator Duggan moved the adoption of the following amendment:

Amend by striking out Sections 1 and 2.

Senator Morrow moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Morrow carried.

The Secretary called the roll on the final passage of House Bill No. 617, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Mehner, Morrow, Murphy (James A.), Murphy (Kebel), Norman, Orndorff, Peirce, Ryan (J. H.), Shorett, Stinson, Thomas—19.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Farquharson, Keller, Knutzen, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Miller, Murfin, Nelson, Reardon, Roland, Ronald, Ryan (Scott M.), Smith, Steele, Tewksbury, Thein, Todd, Worum—26.

Absent or not voting: Senator Nugent—1.

The bill, having failed to receive the constitutional majority, was declared lost.

**Engrossed House Bill No. 120:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Liquor Control, to whom was referred Engrossed House Bill No. 120, entitled: "An Act relating to crimes and punishments, and amending Section 242 of Chapter 249 of the Session Laws of 1909 (Section 2494 of Remington's Compiled Statutes or Remington's Revised Statutes) relating to Sabbath breaking 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 line 1 of the title by striking the word "amending" and substituting in lieu thereof the word "repealing."

Amend Section 1, line 3 of the printed bill after the word "hereby" by striking the balance of the bill and substituting in lieu thereof the word "repealed."

GEO. A. LOVEJOY, *Chairman.*

We concur in this report: J. Drumheller, Chas. H. Todd, G. B. Kerstetter, J. W. Thein, Horace E. Smith, L. E. Tewksbury, Paul Mehner, W. R. Orndorff, C. Nifty Garrett, D. O. Nugent.

SENATE CHAMBER,  
OLYMPIA, WASH., March 11, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Liquor Control, to whom was referred Engrossed House Bill No. 120, 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: J. P. Keller, J. H. Ryan, E. N. Steele.

On motion of Senator Lovejoy, 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.

Senators Miller, Norman and Gannon demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 120, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Drumheller, Keller, Kyle, Lovejoy, McMillan, Miller, Nelson, Orndorff, Peirce, Roland, Todd—11.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Farquharson, Gannon, Garrett, Kerstetter, Knutzen, Malstrom, McAulay, Mehner, Metcalf, Morrow, Murfin, Murphy (James A.),

Murphy (Kebel), Norman, Nugent, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—32.

Absent or not voting: Senators Ferryman, Maxwell, Reardon—3.

The bill, having failed to receive the constitutional majority, was declared lost.

**House Bill No. 425**, by Representatives Ott, Strickland, McDonnell, Hurley, Ford, Clark, Drew, Wilson, Christianson, Titus, Gessell, Luck, Lynch, Sullivan, Hall, Huetter, Wingrove, Neal, Haddon, Cowen, Lindgren, Todd, McDonald (D. A.), Easterday, Keen, McCarty, Hales and Yantis, entitled: "An Act relating to the welfare of minor children, their care, custody, control and adoption, and providing penalties and repealing Chapter 62 of the Laws of 1933," was read the third time.

Senator Steele moved the adoption of the following amendment:

Amend Section 1, being line 7, page 1 of the original bill, same being line 2, page 1 of the printed bill, by inserting between the words "parents," and "to" the following words: "or relatives within the second degree, or a benevolent or charitable society incorporated under the laws of this state for the purpose of, and engaged in the business of, receiving, caring for, and placing out for adoption, orphan, homeless, neglected, abandoned or abused minor children,".

Senator Farquharson moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Farquharson carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 425, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Steele, Stinson, Tewksbury, Thein, Todd, Worum—39.

Those voting nay were: Senators Lovejoy, Nugent, Reardon, Roland, Ryan (Scott M.), Thomas—6.

Absent or not voting: Senator Smith—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 Miller, Senators Barnes, Metcalf and Brunton were excused for the balance of the evening.

**House Bill No. 529**, by Representative Bohlke, entitled: "An Act relating to horticulture, amending Sections 1, 2, 11 and 20 of Chapter 166 of the Laws of 1915 as subsequently amended, and making an appropriation."

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider House Bill No. 529.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

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

On motion of Senator Garrett, the following amendments made in the committee of the whole were adopted:

Amend Section 1, lines 14 and 15 of the printed bill by inserting "all collected native plants, or parts thereof, whether intended for planting, decoration, or other purposes,".

Amend Section 2d, line 10 by inserting the word "collectors."

Insert all of Section 3, including Section 2k.

Renumber Section 5, Section 6. Add a new section to be known as Section 5 as follows:

"SEC. 5. The State Treasurer shall estimate the cost of auditing and supervising the collection and disbursements of the fund herein referred to; and such cost shall be deducted from the funds herein appropriated and shall be a first charge against the receipts thereof."

Senator Garrett moved that the reading 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. 529, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—35.

Those voting nay were: Senators Morrow, Roland, Ryan (Scott M.)—3.

Absent or not voting: Senators Barnes, Bengtson, Brunton, Knutzen, Metcalf, Miller, Peirce, Steele—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.

On motion of Senator Ryan (Scott M.), the further call of the Senate was dispensed with.

At 11:15 o'clock p. m., on motion of Senator Maxwell, the Senate adjourned until 10:00 o'clock a. m. tomorrow.

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

HARRISON W. MASON, *Secretary of the Senate.*

## SIXTIETH DAY

### MORNING SESSION.

SENATE CHAMBER,  
OLYMPIA, WASHINGTON, Thursday, March 14, 1935.

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

Reverend L. Wendell Taylor, of the United Churches of Olympia, offered prayer.

The Secretary called the roll, all members being present.

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

The Secretary read:

#### REPORTS OF STANDING COMMITTEES.

A part of the Committee on Revenue and Taxation recommended that Engrossed House Bill No. 237 do pass as amended.

A part of the Committee on Revenue and Taxation recommended that Engrossed House Bill No. 237 do not pass.

A part of the Committee on Revenue and Taxation reported back Engrossed House Bill No. 237 without recommendation.

The reports of the committee, together with the bill, were placed on general file.

The Committee on Appropriations recommended that Engrossed Substitute House Bill No. 420 do pass as amended.

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., March 13, 1935.

MR. PRESIDENT:

The House has passed Senate Bill No. 242, with the following amendment:

Amend the bill by striking the whole of Section 8 and inserting in lieu thereof the following:

"This act is necessary for the preservation of the public health and safety and shall take effect immediately.";

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Kyle moved that the Senate concur in the House amendment to Senate Bill No. 242.

The motion by Senator Kyle carried.

The Secretary called the roll on the final passage of Senate Bill No. 242, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dailey, Dawson, Duggan, Farquharson, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Ronald, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—31.

Absent or not voting: Senators Bengtson, Drumheller, Ferryman, Gannon, Keller, McMillan, Morrow, Nugent, Reardon, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Todd—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:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 287 with the following amendments:

Amend the bill by striking all that portion of the bill following the enacting clause and insert in lieu thereof the following:

Section 1. The State Capitol Committee is authorized and empowered to erect one of the office buildings provided for in the group plan adopted by the Capitol Committee pursuant to Chapter 59 of the Session Laws of 1911 on the site designated in the statutes as "Capitol Place," for the use of the Washington State Liquor Control Board, the Department of Public Lands and other state departments.

SEC. 2. The Washington State Liquor Control Board is hereby authorized and directed to pay over to the State Capitol Committee from the Liquor Revolving Fund the sum of Two Hundred Thousand Dollars (\$200,000.00) for the purpose of carrying out the provisions of this act: *Provided, however,* That such funds shall be paid over to said State Capitol Committee only when the United States or one of its agencies shall allocate and provide at least an equal amount toward the erection and completion of such building.

Amend the bill, strike the title and insert in lieu thereof the following:

AN ACT authorizing the State Capitol Committee to erect an office building on "Capitol Place" and authorizing the Washington State Liquor Control Board to pay over to the State Capitol Committee from the Liquor Revolving Fund the sum of \$200,000 for such purpose.  
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Steele moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 287 and ask the House to recede therefrom.

The motion by Senator Steele carried.

**GENERAL FILE.**

On motion of Senator Metcalf, Engrossed House Bill No. 295 was advanced on the calendar.

**Engrossed House Bill No. 295**, by Representatives Brown, Richmond (W. A.), Hall, Sandegren, Bohlke, Neal, Gessell, Wingrove, Strickland, Lynch, Wiswall, Cohen, McDonald (R. T.), Easterday, Parker, Skinner, Sullivan, Christianson, Leber, Ryan, Austin, Holt, Mackie, McDonnell, McDonald (D. A.), Huetter, Bowden, McDonald (J. D.), Klemgard, Jones, Adams and Keen, entitled: "An Act relating to the construction, maintenance and operation of a bridge and approaches thereto across Puget Sound within the County of Pierce, at or near a point commonly known as The Narrows; granting the consent of the State of Washington therefor to J. F. Hickey, George A. Smitley and Purl W. Bourgaize, their survivors and assigns; and granting a right of way therefor through, over and across the

submerged and public lands of the State of Washington, and authorizing the filling in thereof," was read the third time.

On motion of Senator Metcalf, the following amendments were adopted:

Amend the title, line 9 thereof, of the Engrossed House Bill No. 295 by adding after the word "successors" the following punctuation and words ", and their assigns;"

Amend Section 1, line 13 of the Engrossed House Bill by adding after the word "grantees" a comma (,) and the words "and their assigns."

Amend Section 4, line 27 of the Engrossed House Bill by adding after the word "successors" the words "and their assigns."

Amend Section 7, line 27 of the Engrossed House Bill by adding after the word "grantees" the words "and their assigns."

Amend Section 8, line 17 of the Engrossed House Bill by adding after the word "grantees" the words "and their assigns."

Senator Morrow moved that Engrossed House Bill No. 295 be laid on the table.

Senators Metcalf, Murfin, Norman, Thein, Ryan (J. H.), Kerstetter, Nelson and Todd demanded a roll call on the motion by Senator Morrow.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Morrow and the motion lost by the following vote:

Those voting aye were: Senators Farquharson, Kerstetter, Kyle, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—13.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Garrett, Keller, Knutzen, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Shorett, Smith, Stinson, Thein, Todd, Worum—27.

Absent or not voting: Senators Drumheller, Ferryman, Gannon, Maxwell, Steele, Tewksbury—6.

The Secretary called the roll on the final passage of Engrossed House Bill No. 295, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Duggan, Garrett, Keller, Knutzen, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd, Worum—29.

Those voting nay were: Senators Farquharson, Kerstetter, Kyle, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—14.

Absent or not voting: Senators Drumheller, Ferryman, Gannon—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 Dailey, Engrossed Substitute House Bill No. 60 was advanced on the calendar.

**Engrossed Substitute House Bill No. 60**, by Majority of Committee on Appropriations, entitled: "An Act providing assistance for blind students attending state institutions of higher learning within the State of Washington; appropriating money therefor; and declaring an emergency."

On motion of Senator Murphy (Kebel), the Senate resolved itself into a committee of the whole to consider Engrossed Substitute House Bill No. 60.

The bill was considered in the committee of the whole, Senator Peirce in

the chair, and reported back to the Senate with the recommendation that it do pass.

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

Senator Murphy (James A.) moved that the reading 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 Substitute House Bill No. 60, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—44.

Absent or not voting: Senators Gannon, 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.

**House Bill No. 191:**

Senator Norman moved that House Bill No. 191 be advanced on the calendar.

Senator Miller moved that the motion by Senator Norman be laid on the table.

The motion by Senator Miller carried.

Senator Maxwell moved that House Bill No. 191 be made a special order of business for 11:45 o'clock a. m.

Senator Miller moved to amend the motion by Senator Maxwell to 11:59 o'clock a. m.

The motion by Senator Miller carried.

The motion by Senator Maxwell, as amended, carried.

**House Bill No. 257**, by Representative Strickland, entitled: "An Act relating to the jurisdiction and authority in criminal matter of Justices of the Peace in Class A Counties, and amending Chapter 4 of the Laws of Extraordinary Session of 1933," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 257, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Duggan, Farquharson, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Thein, Thomas, Todd, Worum—35.

Those voting nay were: Senator Peirce—1.

Absent or not voting: Senators Dailey, Drumheller, Ferryman, Gannon, Knutzen, Malstrom, Murphy (Kebel), Nelson, Smith, Tewksbury—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. 622**, by Representative Drew, entitled: "An Act relating to the jurisdiction and authority in criminal matters of constables of incorporated cities and towns, and of country precincts in Class 'A' counties," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 622, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Brunton, Dawson, Duggan, Farquharson, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Maxwell, McAulay, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Steele, Stinson, Tewksbury, Thomas, Worum—33.

Those voting nay were: Senator Peirce—1.

Absent or not voting: Senators Bengtson, Dailey, Drumheller, Ferryman, Knutzen, Malstrom, McMillan, Mehner, Murphy (Kebel), Smith, Thein, 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.

**House Bill No. 139:**

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

We, a majority of your Committee on Public Utilities, to whom was referred House Bill No. 139, entitled: "An Act relating to the operation of motor trucks from points outside of city limits to points inside thereof, and preventing cities from imposing a tax, license or other fee for so doing," 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 adding: "This Act shall not apply to cities of the first class."

....., *Chairman.*

We concur in this report: Paul G. Thomas, S. C. Roland, P. Frank Morrow, Geo. F. McAulay, Ralph Metcalf, Kebel Murphy, J. H. Ryan.

SENATE CHAMBER,  
OLYMPIA, WASH., March 1, 1935.

MR. PRESIDENT:

We, a minority of your Committee on Public Utilities, to whom was referred House Bill No. 139, have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that it do not pass.

ED. PEIRCE, *Chairman.*

We concur in this report: D. E. McMillan.

On motion of Senator Peirce, the reports of the committee were received and the bill was read the third time.

Senator Ryan (J. H.) moved the adoption of the committee amendment.

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

The Secretary called the roll on the final passage of House Bill No. 139, and it passed the Senate by the following vote:

Those voting aye were: Senators Brunton, Dailey, Dawson, Farquharson, Garrett, Keller, Kerstetter, Lovejoy, Malstrom, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Shorett, Stinson, Tewksbury, Thein, Thomas, Worum—30.

Those voting nay were: Senators Barnes, Bengtson, Duggan, Gannon, Knutzen, Kyle, Maxwell, Ryan (Scott M.), Todd—9.

Absent or not voting: Senators Drumheller, Ferryman, McAulay, McMillan, Murphy (Kebel), Smith, Steele—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.

**Substitute House Bill No. 233**, by Committee on Roads and Bridges, entitled: "An Act relating to the maintenance and control of county and secondary highways in counties of the first class," was read the third time.

Senator Garrett moved the adoption of the following amendment:

Strike the emergency clause.

Senator Miller moved that the amendment be laid on the table without taking the bill with it.

The motion by Senator Miller carried.

On motion of Senator Reardon, the following amendment was adopted:

Amend the title by adding words "and an emergency."

The Secretary called the roll on the final passage of Substitute House Bill No. 233, as amended, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Morrow, Murphy (James A.), Murphy (Kebel), Reardon, Ronald, Ryan (J. H.), Ryan (Scott M.), Steele, Thomas—20.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Garrett, Keller, Knutzen, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Norman, Nugent, Orndorff, Peirce, Roland, Shorett, Smith, Stinson, Tewksbury, Thein, Todd, Worum—25.

Absent or not voting: Senator Nelson—1.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Miller gave notice that at the proper time he would move to reconsider the vote by which Substitute House Bill No. 233 failed to pass the Senate.

**Engrossed House Bill No. 155**, by Committee on Rules and Order (by departmental request), entitled: "An Act relating to food and shell fish, providing for licenses for taking, canning, receiving, buying, wholesaling and selling food and shell fish and amending Section 51 of Chapter 31 of the Laws of 1915 as amended by Section 51 of Chapter 63 of the Laws of 1921, defining license fees and declaring that this act shall take effect immediately."

Senator Thein moved that Engrossed House Bill No. 155 be indefinitely postponed.

The motion by Senator Thein carried.

**House Bill No. 191**, by Representatives Leber and Christianson, entitled: "An Act relating to the organization of Port Districts, comprising an area less than the entire county, relating to the district elections therein, the officers thereof and their terms of office and the manner of holding and canvassing the returns of such election," was read the third time.

The Secretary called the roll on the final passage of House Bill No. 191, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—42.

Absent or not voting: Senators Farquharson, Knutzen, Reardon, Ryan (Scott M.)—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. 413:**

The Secretary read:

**REPORTS OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, a part of your Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 413, entitled: "An Act relating to, and prescribing the manner of installation of electrical wires and equipment, regulating sales thereof, providing for the licensing and bonding of those engaged therein, prescribing the powers and duties of certain officials in connection therewith, providing penalties, and making an appropriation, and repealing Sections 8307, 8308, 8309, 8310, 8311 and 8312 of Remington's Revised Statutes and 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.

J. H. RYAN, *Chairman*.

I concur in this report: Geo. H. Gannon.

SENATE CHAMBER,  
OLYMPIA, WASH., March 8, 1935.

MR. PRESIDENT:

We, a part of your Committee on Labor and Labor Statistics, to whom was referred Engrossed House Bill No. 413, 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*,

I concur in this report: P. Frank Morrow.

On motion of Senator Ryan (J. H.), the reports of the committee were received.

On motion of Senator Kyle, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 413.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass.

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

Senator Maxwell moved that the reading 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 Murfin moved that Engrossed House Bill No. 413 be indefinitely postponed.

Senator Miller moved that the motion by Senator Murfin be laid on the table.

The motion by Senator Miller carried.

The Secretary called the roll on the final passage of Engrossed House Bill No. 413, and it passed the Senate by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dailey, Dawson, Drumheller, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Kyle, Malstrom, Maxwell, Metcalf, Miller, Murphy (James A.), Nelson, Norman, Nugent, Roland, Ronald, Ryan (J. H.), Shorett, Stinson, Thomas—26.

Those voting nay were: Senators Barnes, Duggan, Knutzen, McAulay, McMillan, Mehner, Morrow, Murfin, Murphy (Kebel), Orndorff, Peirce, Reardon, Ryan (Scott M.), Steele, Thein, Todd, Worum—17.

Absent or not voting: Senators Lovejoy, Smith, Tewksbury—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.

**Substitute House Bill No. 415**, by Representative Brown, entitled: "An Act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act; and repealing all laws or parts of laws in conflict herewith," was read the third time.

Senator Murphy (James A.) moved that Substitute House Bill No. 415 be indefinitely postponed.

Senator Ryan (J. H.) moved that the motion by Senator Murphy (James A.) be laid on the table.

The motion by Senator Ryan (J. H.) carried.

Further consideration of Substitute House Bill No. 415 was deferred.

**Substitute House Bill No. 233:**

Senator Miller moved that the Senate reconsider the vote by which Substitute House Bill No. 233 failed to pass the Senate.

The motion by Senator Miller carried.

#### RECONSIDERATION.

On motion of Senator Reardon, the following amendment to Substitute House Bill No. 233 was adopted:

Amend the title by striking the period (.) at the end of title and inserting in lieu thereof a comma (,) and add the following words: "and declaring an emergency."

The Secretary called the roll on the final passage of Substitute House Bill No. 233, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Dailey, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Reardon, Ronald, Ryan (J. H.), Shorett, Steele, Tewksbury, Thomas, Todd—28.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Garrett, Keller, Knutzen, Mehner, Metcalf, Murfin, Norman, Peirce, Roland, Ryan (Scott M.), Smith, Stinson, Thein, Worum—18.

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

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

#### GENERAL FILE.

#### Engrossed House Bill No. 237:

The Secretary read:

#### REPORTS OF STANDING COMMITTEE.

SENATE CHAMBER,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

We, a part of your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 237, entitled: "An Act relating to revenue and taxation; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in business activities; providing for the levy and collection of a tax or excise upon retail sales; providing for levy and collection of tax upon admissions to any place; providing for levy and collection of tax upon inheritances and gifts; providing for tax upon liquor; providing for tax upon stock transfers; providing for tax upon persons operating commercial radio stations; providing the necessary administrative machinery for the collection and enforcement thereof; providing for certain exemptions and deductions; declaring certain acts in connection therewith unlawful and providing penalties; making appropriations; providing for the distribution of revenue derived hereunder; providing for shortening the operative period of Chapter 191, Laws of 1933, as amended; providing for the amendment of Sections 1, 2, 8, 12, 13, 15 and 18, Chapter 55, Laws of 1901, as amended, Section 4, Chapter 146, Laws of 1917, as amended, Section 95, Chapter 156, Laws of 1917, as amended, Section 5, Chapter 205, Laws of 1929, and Sections 4 and 7, Chapter 134, Laws of 1931; providing for the repeal of Section 1, Chapter 135, Laws of 1929, Sections 1 and 2, Chapter 202, Laws of 1929, as amended, and Section 1, Chapter 134, Laws of 1931; 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:

In Section 4, subsection (d), line 29, page 3 of the printed engrossed bill add an "s" to the word "sale."

In Section 4, subdivision (d), page 3, line 30 of the printed bill, being page 4, line 31 of the original engrossed House Bill, strike everything after the period following the word "cent," down to and including the semicolon following the word "corporation" in line 33, being page 5, line 5 of the original engrossed bill, and insert in lieu thereof the following paragraph: "The tax imposed under this subdivision (d) shall likewise be imposed upon persons engaged in distributing articles of tangible personal property owned by them from a warehouse or other central location to a group of retail stores, the intent hereof being to impose the wholesaling tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales; as to such persons, the amount of tax, with respect to such business, shall be equal to the value of the articles distributed, multiplied by the rate of one-quarter of one per cent; this value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this State of similar articles of like quality and character, and in similar quantities by other taxpayers. The Tax Commission shall prescribe uniform and equitable rules for the purpose of ascertaining such value. If the provisions of this paragraph, for any reason, shall be adjudged

invalid, such judgment shall not invalidate the provisions of the first paragraph of this subdivision."

In Section 4, subsection (e), line 43, page 3 of the printed engrossed bill, strike the words "and advertising and hotel" and insert in lieu thereof a comma (,) followed by the words "advertising, hotel, publishing and real estate rental."

In Section 4, sub-section (f), line 44, page 3, and lines 1 to 6, inclusive, page 4 of the printed engrossed bill, strike all of said sub-section (f).

In Section 4, sub-section (g), lines 7 to 10, page 4 of the printed engrossed bill, strike all of said sub-section (g).

In Section 5, sub-section (4), line 29, page 4 of the printed engrossed bill, after the word "substance," insert the following: "Provided that feed and food stuffs sold to the original producers of milk, eggs, wool, fur or other substances obtained from breeding or raising any livestock animals or poultry shall not be included hereunder, but shall be considered sales at wholesale."

In Section 5, sub-section 4, line 30, page 4 of the printed engrossed bill, after the word "component" and before the period (.) insert the words "or is a chemical used in processing same."

In Section 7-a, lines 34 and 35, page 6 of the printed engrossed bill, strike the words "measured by the gross earnings upon such sales" and insert in lieu thereof the words "equal to the gross earning upon such sales multiplied by the rate of one-half of one per cent."

In Section 7-a, line 35, page 6 of the printed engrossed bill, strike the words "measured by gross proceeds of sales" and insert in lieu thereof the words "equal to the gross proceeds of sales multiplied by the rate of one-quarter of one per cent."

In Section 10, lines 15 to 22, inclusive, page 7 of the printed engrossed bill, strike all of subsection (a) and insert in lieu thereof the following:

"(a) Any person engaging in the business of selling at retail whose gross proceeds of sales is less than one thousand (\$1,000.00) dollars, and any person engaging in any other business activity whose value of products, gross proceeds of sales or gross income of the business is less than four hundred (\$400.00) dollars, for a bi-monthly period: *Provided, however,* That where one person engages in more than one business activity and the combined measures of tax applicable to such businesses exceed four hundred (\$400.00) dollars, or, where one of such business activities is that of selling at retail, one thousand (\$1000.00) dollars, for the taxable bi-monthly period, no exemption or deduction from the amount of tax is allowed by this provision: *Provided further,* That any person claiming exemption under the provisions of this subsection may be required to file returns as provided herein even though no tax may be due."

In Section 10, subsection (a), line 21, page 7 of the printed engrossed bill, strike the word "quarter-year" and insert in lieu thereof the words "bi-monthly period."

In Section 10, subsection (d), line 33, page 7 of the printed engrossed bill, strike the words "business of selling" and insert in lieu thereof the words "sale of."

In Section 10, subsection (d), line 33, page 7 of the printed engrossed bill, after the word, "wholesale" in line 33 and before the period (.) insert the words "by the grower or producer thereof."

In Section 11, page 8, lines 10 to 14 of the printed engrossed bill, strike all of subsection (a) and re-letter the remaining subsections consecutively.

In Section 11 (c), page 8, line 21 of the printed engrossed bill, change the semicolon to a colon and add the following: "Provided that dues which are for, or graduated upon, the amount of service rendered by the recipient thereof are not permitted as a deduction hereunder."

In Section 12a, line 5, page 9 of the printed engrossed bill, after the word "persons," insert a period (.) and strike the remainder of the section.

In Section 13-e, page 10, line 5 of the printed engrossed bill, strike the letter "s" from the word "items."

In Section 13-g, page 10, line 18 of the printed engrossed bill, strike out the words "and the state."

In Section 13-h, page 10, line 42 of the printed engrossed bill, insert after the word "be" and before the word "accepted," the word "redeemed" and a comma.

In Section 13-j, page 11, line 11½ of the printed engrossed bill, add a new paragraph to read as follows: "The Tax Commission, by general regulation, may provide that a taxpayer whose regular books of account are kept on a cash receipts basis may file returns based upon his cash receipts for each bi-monthly period and pay the tax herein provided upon such basis in lieu of reporting and paying the tax on all sales made during such period."

In Section 13-m, page 11, line 22 of the printed engrossed bill, strike the word "Act" and insert in lieu thereof the word "Title."

In Section 13-m, page 11, line 24 of the printed engrossed bill, after the word "be" insert the words "guilty of a felony," and strike the remainder of the section.

In Section 13-n, page 11, line 26 of the printed engrossed bill, strike the figure "3" and insert in lieu thereof the figure "8."

In Section 13-o, page 11, line 29, of the printed engrossed bill, strike the word "pre-exempt" and insert in lieu thereof the word "preempt."

In Sections 13-n and 13-o, lines 26 and 29 of the printed engrossed bill, reverse the position of the sections and renumber accordingly.

Insert a new title to be known as Title II-B, to read as follows:

#### TITLE II-B. COMPENSATING TAX.

SEC. 13-p. 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 subsequent to April 30, 1935. Such tax shall be levied and collected in an amount equal to the purchase price paid by the taxpayer multiplied by the rate of 2%.

SEC. 13-q. The provisions of this title shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the State of Washington by a non-resident thereof for his or her use or enjoyment while within the State;

(2) In respect to the use of tangible personal property purchased other than at retail:

(3) In respect to the use of any article of tangible personal property the sale or use of which has already been subjected to a tax equal to or in excess of that imposed by this title whether under the laws of this State or of some other State of the United States;

(4) In respect to the use of tangible personal property purchased during any calendar month, the total purchase price of which is less than twenty (\$20.00) dollars.

SEC. 13-r. If any article of tangible personal property has already been subjected to a tax by this or any other State in respect to its sale or use in an amount less than the tax imposed by this title, the provisions of this title shall apply, but at a rate measured by the difference only between the rate herein fixed and the rate by which the previous tax upon the sale or use was computed.

SEC. 13-s. Each taxpayer subject to the provisions of this title shall, on or before the fifteenth day of every calendar month, 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 calendar month 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.

SEC. 13-t. For the purposes of this title:

(1) The term "purchase price" shall mean the consideration paid or given or contracted to be paid or given by any person to the seller of an article of tangible personal property for the article purchased. The term shall include, in addition to the consideration paid or given or contracted to be paid or given, the actual cost of transportation from the place where the article was purchased to the person using the same in this State.

(2) The meaning ascribed to words and phrases in Titles II and II-A and all the provisions of Title VIII 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: *Provided, however,* That in applying the provisions of Section 115, the warrant shall direct the sheriff to levy upon and sell only the personal property the use of which is subject to tax under this title, and the lien therein provided for shall attach only to such property.

Amend the engrossed bill by inserting a new title to be known as Title II-C Store License Tax reading as follows:

#### TITLE II-C. STORE LICENSE TAX.

SEC. 13-u. There is hereby imposed upon every person opening, establishing, operating and maintaining in this State a store or stores under singular ownership, an annual tax for each calendar year during any part of which such store or stores are operated or maintained, which tax shall be payable at the time of making the

application for licenses required under the provisions of Section 13-v to be determined as follows:

- (1) Upon one store Five Dollars (\$5.00);
- (2) Upon two stores or more, but not to exceed five stores, Twenty-five Dollars (\$25.00) for each such additional store;
- (3) Upon each store in excess of five, but not to exceed ten, Fifty Dollars (\$50.00) for each such additional store;
- (4) Upon each store in excess of ten, but not to exceed twenty, Seventy-five Dollars (\$75.00) for each such additional store;
- (5) Upon each store in excess of twenty, but not to exceed fifty, One Hundred Dollars (\$100.00) for each such additional store;
- (6) Upon each store in excess of fifty, One Hundred Twenty-five Dollars (\$125.00) for each such additional store.

SEC. 13-v. Every person subject to the tax imposed by Section 13-u shall apply to the Tax Commission for a license for each store within this State under single or common ownership, supervision or management. The application for a license shall be made on a form which shall be prescribed and furnished by the Tax Commission, and shall set forth the name of the owner, manager, lessee or other person desiring such license; the name of such store; the location, including the street number of such store; and such other facts as the Tax Commission may require. One application blank may contain the application for any number of licenses.

SEC. 13-w. As soon as practicable after the receipt of any application, the Tax Commission shall carefully examine such application to ascertain whether it is in proper form and contains the necessary and requisite information. If, upon examination thereof, the Tax Commission shall find that any such application is not in proper form and does not contain the necessary and requisite information, such application shall be returned for correction. If an application is found to be satisfactory, and if the tax prescribed in Section 13-u shall have been paid, the Tax Commission shall issue to the applicant a license for each store for which an application for a license shall have been made. Each licensee shall display the license so issued in a conspicuous place in the store for which such license is issued. Any person, having secured a license as required herein, desiring to change the location of the store for which the license shall have been issued, shall make application to the Tax Commission, on a form provided therefor by the Tax Commission, to have such license corrected so as to show the new location of the store theretofore licensed. Such application shall be accompanied by the license previously issued, but no additional tax shall be assessed under the provisions of Section 13-u because of such change of location.

SEC. 13-x. All licenses shall be so issued as to expire on the thirty-first day of December of each year. On or before the thirty-first day of December of each year, every person having a license, shall apply to the Tax Commission for a renewal license for the calendar year next ensuing. All applications for renewal licenses shall be made on forms which shall be prescribed and furnished by the Tax Commission. Each such application for a renewal license shall be accompanied by a remittance for the amount of the tax due under the provisions of Section 13-u.

SEC. 13-y. For the provisions of this title unless required by the context:

(1) The term "store" means and includes any place of business or mercantile establishment, leased department, stall or stand, in or from which goods, wares, merchandise or commodities of any kind are sold at retail: *Provided, however,* That the word "store" shall not be construed to include warehouses used exclusively for the storage of goods, wares, merchandise or commodities which are withdrawn therefrom in consumption of sales made at a central store: *Provided, further,* That where goods, wares, merchandise or commodities are sold under single or common ownership or supervision from more than one room, building or place, all of which are located within a radius of five hundred feet of a common center and used as inter-related and dependent departments of one unified business establishment, such combination of rooms, buildings or places, for the purposes of this act, shall be construed to be but one store;

(2) The term "single ownership" means not only legal ownership by one person (as herein defined) but also control, supervision, domination or management by one person (as herein defined) through legal or equitable ownership, ownership or control of corporate stock or other shares, holding companies, voting trust agreements, trust

arrangements, leasing or consignment agreements or any other device whatsoever whereby control, supervision, domination or management is effected or whereby the gross revenue, net revenues or profits from store operations, directly or indirectly, immediately or ultimately, are made available for the beneficial uses or, directly or indirectly, inure to the immediate or ultimate benefit of one person (as herein defined).

(3) The meaning ascribed to the words "person," "sale," and "sale at retail" in Title II and all the provisions of Title VIII of this act in so far as applicable shall have full force and effect with respect to the taxes imposed under the provisions of this title.

In Section 14, pages 11 and 12 of the printed engrossed bill reverse the order of schedules V and IV renumbering them accordingly.

In Section 15 (10) (c), line 5, page 13 of the printed engrossed bill add after the word "towns" and before the semicolon the words "or within 3 miles of such limits."

In Section 17, line 28, page 13 of the printed engrossed bill change the period after the word "thereof" to a colon and insert after it the following: "Provided, however, That any person claiming exemption under the provisions of this section may be required to file returns as provided herein even though no tax may be due."

In Section 18-b, line 36, page 13 of the printed engrossed bill, after the word "such" and before the period (.) insert the words "within this state."

In Section 22 (1), line 28, page 14 of the printed engrossed bill, strike the words "twenty (20c)" and insert in lieu thereof the words "ten (10c)."

In Section 22 (1), line 36, page 14 of the printed engrossed bill, strike the words "twenty (20c)" and insert in lieu thereof the words "ten (10c)."

In Section 25, line 32, page 15 of the printed engrossed bill, strike the word "monthly" and insert in lieu thereof the word "bi-monthly."

In Section 25, line 34, page 15 of the printed engrossed bill, strike the word "month" and insert in lieu thereof the words "bi-monthly period."

In Section 25, line 38, page 15 of the printed engrossed bill, strike the word "month" and insert in lieu thereof the words "bi-monthly period."

In Section 21, page 14, after line 22, insert a new title to be known as Title III-A, to read as follows:

#### TITLE III-A. RADIO BROADCASTING TAX.

SEC. 21-a. From and after the first day of May, 1935, there is hereby levied and shall be collected a tax from every person engaging in the business of radio broadcasting. The tax as to such persons shall be for the use of electrical energy in the production or generation of radio frequency waves. Such tax shall be equal to ten cents per kilowatt hour power input to the final or power stage of each radio broadcasting station.

SEC. 21-b. For the purposes of this Title, unless otherwise required by the context:

The word "person" shall mean any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, corporation, company, joint stock company, business trust, municipal corporation, club, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit or otherwise.

SEC. 21-c. The taxes imposed hereunder shall be due and payable in bi-monthly installments and remittance therefor shall be made on or before the fifteenth day of the month next succeeding the end of the bi-monthly period in which the tax accrued. The taxpayer, on or before said fifteenth day of said month, shall make out a return, upon such forms and setting forth such information as the Tax Commission may require, showing the amount of tax for which it is liable for the preceding bi-monthly period, sign and transmit the same to the Tax Commission, together with a remittance for said amount.

SEC. 21-d. The provisions of Title VIII which relate to the assessment and collection of taxes are hereby extended to, and made a part of, this title as far as applicable for the purpose of collecting the taxes levied under this title.

Amend the bill by inserting on page —, line —, of the original engrossed bill, the same being page 16, line 20½ of the printed engrossed bill, a new title to be known as "Title IV-A. Tax on Deeds of Conveyance."

#### TITLE IV-A. TAX ON DEEDS OF CONVEYANCE.

SEC. 27-a. From and after the first day of May, 1935, there is hereby levied and there shall be collected a tax upon conveyances; deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or

vested in, the purchaser or purchasers, or any other person or persons by his, her or its direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds One Hundred (\$100.00) Dollars and does not exceed Five Hundred (\$500.00) Dollars, 50 cents; and for each additional Five Hundred (\$500.00) Dollars or fractional part thereof, 50 cents. This section shall not apply to any installment or writing, given to secure a debt.

SEC. 27-b. For the purposes of this title, unless otherwise required by the context:

The word "person" shall have the same meaning as is attributed to such word in Title II of this act.

SEC. 27-c. The Tax Commission shall cause to be prepared and distributed for the payment of the taxes prescribed in this title suitable stamps denoting the tax on any instrument, document, or paper, to which the same may be affixed, and shall prescribe such method for the affixing of said stamps as it may deem expedient.

SEC. 27-d. Whenever any stamp is used for denoting any tax imposed by this title, except as hereinafter provided, the person using or affixing the same shall write or stamp, or cause to be written or stamped, thereon, the initials of his or its name and the date upon which the same is attached or used, so that the same may not again be used: *Provided*, That the Tax Commission may prescribe such other method for the cancellation of such stamps as it may deem expedient.

SEC. 27-e. The Tax Commission, may, upon receipt of satisfactory evidence of the facts, make allowance for or redeem such of the stamps, issued under authority of law, to denote the payment of any tax, as may have been spoiled, destroyed or rendered useless or unfit for the purpose intended, or for which the owner may have no use, or which, through mistake, have been improperly or unnecessarily used, or where the returns or duties represented thereby have been excessive in amount, paid in error, or in any manner wrongfully collected. Such allowance or redemption may be made, either by giving other stamps in lieu of the stamps so allowed for or redeemed or by refunding the amount or value to the owner thereof; but no allowance or redemption shall be made in any case until the stamps so spoiled or rendered useless shall have been returned to the Commission, or until satisfactory proof has been made showing the reason why the same cannot be returned: *Provided, Further*, That no claim for the redemption of or allowance for stamps shall be allowed unless presented within two years after the purchase of said stamps from the Tax Commission.

SEC. 27-f. To forge or counterfeit any stamp of the kind herein provided is hereby declared to be a felony and punishable by imprisonment in the penitentiary for not less than one year nor more than four years.

SEC. 27-g. Each of the following acts is hereby declared to be a gross misdemeanor and punishable as such: (a) to take, sign, issue, or accept, or cause to be made, signed, issued, or accepted, any instrument, document, or paper of any kind or description whatsoever without the full amount of the tax thereon being duly paid; (b) to fraudulently cut, tear, or remove from any instrument, document, or paper, upon which any taxes imposed by this title, any stamp or the impression of any stamp, die, plate, or other articles provided, made, or used in the pursuance of this title; (c) to wilfully remove, or alter the cancellation or defacing marks, of or otherwise prepare any stamp, with intent to use, or cause the same to be used, after it has already been used, or knowingly or wilfully buys, sells, offers for sale, or gives away, any such washed or restored stamp to any person for use, or knowingly uses the same; (d) for any person other than the Tax Commission or its duly authorized agent to sell any stamp provided for herein, not affixed to any conveyance taxed herein, whether said stamp be genuine or counterfeit.

SEC. 27-h. All of the applicable provisions contained in Title VIII of this act shall have full force and application with respect to taxes imposed under the provisions of this title.

Amend the engrossed bill by striking all of Title V beginning with line 21, page 16 and ending with line 17, page 17, of the printed engrossed bill.

Amend the bill by inserting on page —, line —, of the original engrossed bill, the same being page 16, line 21 of the printed engrossed bill, a new title to be known as "Title V. Tobacco Tax."

## TITLE V. TOBACCO TAX

Sec. 28. 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 cigars, cigarettes, cigarette papers and tobacco, to be computed at the following rates:

(1) In the case of cigars, manufactured tobacco and/or snuff, in an amount equal to ten per cent of the intended retail selling price for each cigar, each piece or package of manufactured tobacco, and/or each package of snuff; in the case of 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 ten per cent of such intended retail selling price; in the case of cigarette papers, in an amount equal to one-half cent for each fifty (50) papers or fractional part thereof.

(2) 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 box of cigars or the smallest container containing one or more cigars ordinarily sold at retail and on every package of cigarettes, cigarette papers and tobacco, as defined in this title, on which a tax is due, stamps of an amount equalling the tax due thereon before such person sells, offers for sale, uses, consumes, handles, removes, or otherwise disturbs and distributes the same.

(3) 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.

(4) 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.

(5) 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 shall 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 VIII of this act, and such stamps shall be cancelled as soon as they shall be affixed to the package or container.

(a) In the case of cigars, the stamps shall be affixed to the box or container, in which and from which they are usually sold at retail. Such stamps shall be securely affixed to such box or container by placing one portion of the stamp on the lid or cover of the box or container and the other portion of the stamp on the upright front of the box or container, and securely affixing the same thereto in such manner that it will become mutilated or torn when the box or container is opened, and shall remain on the box or container in its mutilated or torn condition as evidence that the tax required herein has been paid.

(b) 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.

(c) In the case of cigarette papers and tobacco, the stamps shall be affixed to each individual package usually sold to the consumer.

(6) 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.

(7) It is the intent and purpose of this title to levy a tax on all cigars, cigarettes, cigarette papers and tobacco 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.

SEC. 29. For the purposes of this title, unless otherwise required by the context:

(1) The word "wholesaler" means and includes every person who purchases, sells or distributes any one or more of the articles taxed herein to retailers for the purpose of resale only.

(2) The word "retailer" means and includes every person, other than a wholesaler, who shall purchase, sell, offer for sale or distribute any one or more of the articles taxed herein, irrespective of quantity or amount, or the number of sales; and all persons operating under a retailer's registration certificate.

(3) The words "retail selling price" means the ordinary, customary or usual price paid by the consumer for each package of tobacco, cigarettes, cigarette papers or each individual cigar or smallest package containing one or more cigars ordinarily sold at retail before the tax levied by this title has been paid.

(4) The word "consumer" means a person who comes into possession of tobacco for the purpose of consuming it, giving it away or disposing of it in any way by sale, barter or exchange.

(5) The word "cigars" means any roll of tobacco for smoking, irrespective of size and shape, and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper made chiefly of tobacco.

(6) The word "cigarette" means any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

(7) The words "cigarette papers" mean any papers, wrappers or tubes made or prepared for the purpose of making cigarettes, made up either in packages, books or sets.

(8) The word "tobacco" means any cigarettes, cigars, cheroots, stogies, smoking tobacco (including granulated, plug cut, crimp cut, ready rubbed and other kinds and forms of tobacco prepared in such manner as to be suitable for smoking in a pipe or cigarette), plug and twist chewing tobacco and snuff.

(9) The word "stamp" as used herein means the stamp or stamps by use of which the tax levy under this title is paid.

(10) The meaning attributed, in Title II of this act, to the words "person," "sale," "business" and "successor" shall apply equally in the provisions of this title.

SEC. 30. It shall be the duty of every wholesaler or retailer subject to the provisions of this title to keep and preserve for a period of five years an accurate set of records, showing all transactions had with reference to the purchase and sale of any of the articles taxed herein and such persons shall keep also separately all invoices, and shall keep a record of all stamps purchased, and all such records and all such stock of taxable articles on hand shall be open to inspection at all reasonable times to the Tax Commission or its duly authorized agent: *Provided, however,* That all retailers purchasing or receiving any of the articles taxed herein from without the state, whether the same shall be ordered through a wholesaler or jobber in this state, or by drop shipment or otherwise, immediately upon receipt of the same, shall mail a duplicate invoice of all such purchases or receipts to the Tax Commission and failure to furnish such duplicate invoices shall be deemed a violation of this title.

SEC. 31. To forge or counterfeit any stamp of the kind herein provided is hereby declared to be a felony and punishable by imprisonment in the penitentiary for not less than one (1) year nor more than four (4) years.

SEC. 32. Each of the following acts is hereby declared to be a gross misdemeanor and punishable as such:

(a) To sell except as a registered wholesaler engaged in interstate commerce as to the articles being taxed sold in interstate commerce, any of the articles taxed herein, without the stamp being provided for first being affixed and cancelled as herein provided;

(b) To use or have in possession knowingly or intentionally any forged or counterfeit stamps;

(c) For any person other than the Tax Commission or its duly authorized agent to sell any stamps provided for herein, not affixed to any of the articles taxed herein, whether the said stamps be genuine or counterfeit;

(d) To violate any of the provisions of this title;

(e) To violate any lawful rule or regulation made and published by the Tax Commission;

(f) To use any stamps more than once or to have in one's possession any stamps that have been used;

(g) To remove, erase, alter, or deface the cancellation marks on any stamp or to have in possession any stamp on which the cancellation mark has been removed, erased, altered or defaced;

(h) To refuse to allow on demand of the Tax Commission, or any duly authorized agent thereof, to make full inspection of any place of business where any of the articles herein taxed are sold or otherwise hinder or prevent such inspection;

(i) To use any artful device or deceptive practice to conceal any violations of this title or to mislead the Tax Commission or any duly authorized agent thereof in the enforcement of this title;

(j) For any retailer to have in possession in any place of business any of the articles herein taxed unless the same shall have the proper stamps attached;

(k) For any person to make, use or present or exhibit to the Tax Commission, or any duly authorized agent thereof, any invoice for any of the articles herein taxed which bears an untrue date or falsely states the nature or quantity of the goods therein invoiced;

(l) For any wholesaler or retailer or his agent or employees to fail to produce on demand of the Tax Commission all invoices of all the articles herein taxed and/or stamps bought by him or received in his place of business within one (1) year prior to said demand unless he can show by satisfactory proof that the non-production of said invoices was due to providential or other causes beyond his control;

(m) For any person to receive in this state any shipment of any of the articles taxed herein, when the same are not stamped, for the purpose of avoiding payment of the tax.

All agents, employees and others who aid, abet or otherwise participate in any way in the violation of the provisions of this title, or in any of the offenses herein described shall be guilty and punishable as principals, to the same extent as any wholesaler or retailer violating the provisions of the title.

SEC. 33. If any wholesaler or retailer, subject to the provisions of this title or any rules and regulations promulgated by the Tax Commission under authority hereof, shall be found to have failed to affix the stamps required, or to have the same affixed as herein provided, or to pay any tax due hereunder, or to have violated any of the provisions of this title or rules and regulations promulgated by the Tax Commission in the administration hereof, there shall be assessed and collected from such wholesaler or retailer, as tax and penalty, in addition to any tax that may be found due, a sum equal to the amount of any tax found to be due plus a penalty of twenty-five per cent and interest thereon at the rate of one per cent for each thirty days or portion thereof from the date the tax became due, and upon notice mailed to the last known address of the taxpayer said amount shall become due and payable in ten days, at which time the Tax Commission, or its duly authorized agent, may make immediate demand upon such wholesaler or retailer for the payment of all such taxes and penalties: *Provided*, That the Tax Commission, for good reason shown, may remit all or any part of the penalties imposed, but the taxpayer must pay all taxes due and interest thereon, at the rate of one per cent for each thirty days or portion thereof. The keeping of any unstamped articles coming within the provisions of this title shall be prima facie evidence of the intent to violate the provisions of this title.

SEC. 34. Any articles taxed herein found at any point within this state, which articles shall be held, owned, possessed or in the control of any person for a period of time longer than the time to affix the stamps and not having affixed to the package or container as above defined the stamps as above provided, are hereby declared to be contraband goods, and the same may be seized by the Commission, or its duly authorized agent, or by any peace officer of the state, when directed by the Commission so to do, without a warrant, and said goods shall be offered by the Commis-

sion for sale at public auction to the highest bidder after due advertisement, but the Commission before delivering any of said goods so seized shall require the person, so holding, owning, possessing or controlling the said articles, to affix the proper amount of stamps as required by this title. The proceeds of sale of any goods sold hereunder shall be paid to the Tax Commission: *Provided*, That the cost of confiscation and sale shall be paid out of the proceeds derived from such sale before making said remittance: *Provided further*, That any vehicle, not a common carrier, which may be used in transporting for the purpose of violating the provisions of this title any of the articles taxed herein shall likewise be subject to confiscation and sale in the same manner as above provided.

SEC. 35. In all cases of seizure of any property made subject to forfeiture under the provisions of this title, which, in the opinion of the person making the seizure, is of the appraised value of Twenty-five (\$25.00) Dollars, or more, the said person shall proceed as follows:

(1) He shall cause a list containing a particular description of the property seized to be prepared in duplicate, and an appraisalment thereof to be made by three sworn appraisers to be selected by him, who shall be respectable and disinterested citizens of this state, residing within the county where the seizure was made. Said list and appraisalment shall be properly attested by the said person and the said appraisers, for which service each of the said appraisers shall be allowed the sum of One (\$1.00) Dollar per day for not exceeding two days, to be paid as other costs.

(2) If the property seized is believed, by the person making the seizure, to be of less value than Twenty-five (\$25.00) Dollars, no appraisalment shall be made.

(3) The person making the seizure shall proceed to give notice thereof for five days, in writing, at three places in the county where the seizure is made. One of the notices shall be posted at the county courthouse; another at the place where the goods were seized; and the other at some public place. The notice shall describe the property seized, and the time and place and cause of seizure and give the name and place of residence, if known, of the person from whom the property was seized, and shall require any person claiming it to appear and make such claim in writing, within five days from the date of the first posting of such notice. Such person making the seizure shall also deliver to the person from whom the property was seized, and also to the owner, if known, a copy of the said notice.

(4) Any person claiming the said property seized as contraband, within the time specified in the notice, may file with the Tax Commission a claim, in writing, stating his interest in the property seized, and may execute a bond to the Tax Commission in a penal sum equal to double the value of the property so seized, but in no case shall said bond be less than One Hundred (\$100.00) Dollars, with sureties to be approved by the clerk of the superior court in the county in which the property is seized, conditioned that in case of condemnation of the property seized, the obligor shall pay to the Tax Commission the full value of the property so seized, and all costs and expenses of the proceedings to obtain such condemnation, including a reasonable attorney's fee. And, upon delivery of such bond to the Tax Commission, it shall transmit the same with the duplicate list or description of the property seized to the prosecuting attorney of the county in which such seizure was made, and said prosecuting attorney shall prosecute the case to secure the forfeiture of said property in the court having jurisdiction. Upon filing the bond aforesaid, the said property shall be delivered to the claimant pending the outcome of the case, provided that he shall at once affix the required stamps thereto.

(5) If no claim is interposed and no bond is filed within the time above specified, such property shall be forfeited, without further proceedings, and the same shall be sold as herein provided, and the proceeds of sale when received by the Tax Commission shall be paid into the state treasury as are other funds collected: *Provided*, That in seizures of property of less value than Twenty-five (\$25.00) Dollars, the same may be advertised with other quantities at Olympia by the Tax Commission and disposed of as hereinbefore provided.

(6) In proceedings to secure a confiscation of the property hereinbefore mentioned, where the value of the goods seized at one time is One Hundred (\$100.00) Dollars, or less, the justice court of the place where the property is situated, shall have jurisdiction to try the cause. Where the value of the property seized at one time is more than One Hundred (\$100.00) Dollars, then the superior court of the county where the property is seized shall have jurisdiction to try the cause.

The proceedings against property seized, according to the provisions of this act, shall be considered a proceeding *in rem* unless otherwise herein provided.

Within ten days after filing the bond provided for in paragraph (4) hereof, the claimant shall file a petition in the court having jurisdiction of the cause, and the Tax Commission or other party authorized to prosecute the confiscation of said property, shall plead to it as if it were an ordinary action at law, and the same rules of pleading and procedure applicable to actions in the justice court or superior shall be observed in this action, and the costs shall be adjudged as in other actions: *Provided, however*, That neither the state, nor the Tax Commission, nor any other person representing the state shall be liable for the costs in event the court shall not confiscate the property in controversy.

SEC. 36. The Tax Commission may, in its discretion, return any property confiscated under the provisions of this title, or any part thereof, when it is shown that there was no intention to violate the provisions of this title: *Provided*, That when any property is confiscated, under the provisions of this title, the Tax Commission may, in its discretion, return such goods to the parties from whom they were confiscated, if, and when, such parties affix the proper amount of stamps thereto, and pay to the Tax Commission as penalty an amount equal to twenty-five per cent of the amount of tax due and interest thereon at the rate of one per cent for each thirty days or portion thereof from the date the tax became due, and in such cases, no advertisement shall be made or notices posted in connection with said confiscation.

SEC. 37. When the Tax Commission has good reason to believe that any of the articles taxed herein are being kept, sold, offered for sale, or given away in violation of the provisions of this title or regulations issued under authority hereof, it may make affidavit of such fact, describing the place or thing to be searched, before any justice of peace, mayor of any city, town or village, or judge of any court in this state, and such justice, mayor or judge shall issue a search warrant directed to the sheriff, any constable, police officer, or duly authorized agent of the Tax Commission, commanding him to diligently search any building, room in a building, place or vehicle as may be designated in the affidavit and search warrant, and to seize such tobacco so possessed and to hold the same until disposed of by law, and to arrest the person in possession or control of the same. If upon the return of such warrant, it shall appear that any of the articles taxed herein, unlawfully possessed, were seized, the same shall be sold as provided in the preceding section.

SEC. 38. The Tax Commission may promulgate rules and regulations providing for the refund to dealers for the cost of stamps affixed to articles taxed herein, which by reason of damage become unfit for sale and are destroyed by the dealer or returned to the manufacturer or jobber. In the case of any articles to which stamps have been affixed, and which articles have been sold and shipped to a regular dealer in such articles in another state, the seller in this state shall be entitled to a refund of the actual amount of the stamps so affixed, upon condition that the seller in this state shall make affidavit that the articles were sold and shipped outside of the state and that he has received from the purchaser outside the state a written acknowledgment that he has received such articles with the amount of stamps affixed thereto, together with the name and address of such purchaser: *Provided, however*, That the stamps so affixed for which the refund is claimed have been marked void by the seller in this state with the name and address of the seller stamped thereon, together with the voidance on the certificate from the purchaser without the state; otherwise, no refund shall be made. The Tax Commission is hereby authorized to redeem any unused stamps purchased from it.

SEC. 39. Every person in this state who sells any of the articles taxed herein by means of any vending machine of any kind or character shall be required before engaging in such business to apply to and obtain from the Tax Commission a certificate to engage in business as a retailer, and shall obtain a separate certificate for each machine used vending or selling any of the articles taxed herein, and each machine so used shall be considered a separate place of business. Such certificate shall be issued upon application in the same manner as provided in Section 100 of Title VIII of this act. Any articles taxed herein vended by means of any such machine shall bear stamps as evidence that the tax herein imposed has been paid.

SEC. 40. The provisions of this title shall not apply in any case in which the State of Washington is prohibited from taxing under the constitution of this state or the Constitution or laws of the United States.

SEC. 41. The provisions of this title shall become operative as of 12.01 a. m., May 1, 1935.

SEC. 42. All of the provisions contained in Title VIII of this act shall have full force and application with respect to taxes imposed under the provisions of this title: *Provided*, That the following sections of said Title VIII shall not apply hereto: Sections 101, 103, 106 and 118.

Amend the bill by inserting a new title following Title V to be known as "Title V-A. Fuel and Diesel Oil Tax."

SEC. 42-A. From and after the first day of May, 1935, there is hereby levied and there shall be collected, in addition to any other taxes provided by law, an excise tax upon every distributor at the rate of one-quarter ( $\frac{1}{4}$ ) cent for each gallon of fuel oil and/or diesel oil sold, distributed, withdrawn or used by it in the State of Washington. The tax herein imposed shall be collected by the Tax Commission of this state and shall be paid by every distributor but once in respect to any fuel oil and/or diesel oil, sold, distributed, withdrawn or used by it.

Bills shall be rendered by distributors to all purchasers of fuel oil and/or diesel oil of fifty (50) gallons or more and to all purchasers of smaller quantities upon request containing a statement that the distributor has assumed the tax thereon.

SEC. 42-b. For the purposes of this title, unless otherwise required by the context:

(1) The word "person" or the word "company," herein used interchangeably, means any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, company, joint-stock company, business trust, municipal corporation, corporation, association, or any group of individuals acting as a unit, whether mutual co-operative, non-profit or otherwise;

(2) The term "fuel oil" shall mean and include an oil of fourteen degrees to nineteen degrees American Petroleum Institute gravity and with a viscosity range of twenty-six to fifty Saybolt Furol at a temperature of one hundred twenty-two degrees or any other refined or partially refined petroleum product other than gasoline or diesel oil;

(3) The term "diesel oil" shall mean and include an oil from twenty-seven degrees to thirty-four degrees American Petroleum Institute gravity and with a viscosity range of forty-one to forty-eight Saybolt Universal at a temperature of one hundred degrees;

(4) The word "distributor" shall mean and include every person who refines, manufactures, produces or compounds fuel oil and/or diesel oil and sells, distributes, or in any manner uses the same in this state; also any person who imports any fuel oil and/or diesel oil into this state and stores, withdraws, sells, distributes, or in any manner uses the same in this state whether in the original package or container in which it is imported or otherwise; also any person who having acquired in this state in the original package or container, fuel oil and/or diesel oil, shall distribute or sell the same, whether in such original package or container in which the same was imported or otherwise, or in any manner uses the same;

(5) The words "sale," "sale at retail" or "retail sale" and "successor" shall have the same meaning as is attributed to such words in Title II of this act.

SEC. 42-C. The taxes imposed hereunder shall be due and payable in bi-monthly installments and remittance therefor shall be made on or before the fifteenth day of the month next succeeding the end of the bi-monthly period in which tax accrued. The taxpayer on or before the fifteenth day of said month, shall make out a return, upon such forms and setting forth such information as the Tax Commission may require, showing the amount of tax for which he is liable for the preceding bi-monthly period, sign and transmit the same to the Tax Commission, together with a remittance for said amount in the form required in Title VIII of this act. The Tax Commission may, in its discretion, require verified annual returns from any taxpayer setting forth such additional information as it may deem necessary to correctly determine tax liability.

SEC. 42-d. No tax shall be levied under this title with respect to any sale, distribution, withdrawal or use of fuel oil and/or diesel oil which the State of Washington is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States.

SEC. 42-e. All of the provisions of Title VIII of this act shall have full force and application with respect to the taxes imposed under the provisions of this title.

Amend the engrossed bill by adding thereto a new title to be known as Title V-B to read as follows:

**TITLE V-B. STOCK ISSUE AND TRANSFER TAX.**

SEC. 42-f. From and after the first day of May, 1935, there is hereby levied and shall be collected a tax:

(a) On each original issue, whether an organization or reorganization, of shares or certificates of stock, or of profits, or of interest in property or accumulations, by any corporation, or by any investment trust or similar organization (or by any person on behalf of such investment trust or similar organization) holding or dealing in any bonds or stock (whether or not such investment trust or similar organization constitutes a corporation within the meaning of this title), on each \$100 or par or face value or fraction thereof of the certificates issued by such corporation or by such investment trust or similar organization (or of the shares where no certificates were issued), 10 cents: *Provided*, That where such shares or certificates are issued without par or face value, the tax shall be 10 cents per share (corporate share, or investment trust or other organization share, as the case may be), unless the actual value is in excess of \$100 per share, in which case the tax shall be 10 cents on each \$100 of actual value or fraction thereof of such certificates (or of the shares where no certificates were issued), or unless the actual value is less than \$100 per share, in which case the tax shall be 2 cents on each \$20 of actual value, or fraction thereof, of such certificates (or of the shares where no certificates were issued).

The stamps representing the tax imposed by this subsection shall be attached to the stock books or corresponding records of the organization and not to the certificates issued.

(b) On all sales, or agreements to sell, or memorandum of sales or deliveries of, or transfers of legal title to stock (or to rights to subscribe for or to receive such stock, whether made upon or shown by the books of the corporation or other organization), whether made by any assignment in blank or by any delivery or by any paper or agreement or memorandum or other evidence of transfer or sale (whether entitling the holder in any manner to the benefit of such stock, interest or rights, or not), on each \$100 of the par or face value or fraction of the certificates of such corporation or other organization (or of the shares where no certificates were issued), 4 cents; and where such shares or certificates are without par or face value, the tax shall be 5 cents on the transfer or sale or agreement to sell each share: *Provided*, That it is not intended by this title to impose a tax upon an agreement evidencing a deposit of stock as collateral security for money loaned thereon, which stock is not actually sold, nor upon the delivery or transfer for such purpose of stock so deposited (nor upon the return of stock loaned): *Provided further*, That the tax shall not be imposed upon deliveries or transfers to a broker for sale, nor upon deliveries or transfers by a broker to a customer for whom and upon whose order he has purchased same, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further*, That the tax shall not be imposed upon deliveries or transfers from a fiduciary to a nominee of such fiduciary, or from one nominee of such fiduciary to another, if such stock continues to be held by such nominee for the same purpose for which it would be held if retained by such fiduciary, or from the nominee to such fiduciary, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further*, That in case of a sale of stock where the evidence of transfer is shown only by the books of the corporation or other organization, the stamp shall be placed upon such books; and where the change of ownership is by transfer of the certificate the stamp shall be placed upon the certificate; and in cases of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers.

SEC. 42-g. For the purpose of this title, unless otherwise required by the context:

(a) The word "stock" means shares or certificates of stock or of profits, or of interest in property or accumulations, by any corporation, or by any investment trust or similar organization (or by any person on behalf of such investment trust or similar organization) holding or dealing in any of the instruments mentioned or described in this subsection or subsection (b) below (whether or not such investment

trust or similar organization constitutes a corporation within the meaning of this act).

(b) The word "bond" means all bonds, debentures, or certificates of indebtedness issued by any corporation, and all instruments, however termed, issued by any corporation with interest coupons or in registered form, known generally as corporate securities.

(c) The word "person" or the 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.

SEC. 42-h. Adhesive stamps for the purpose of paying the tax under this title shall be prepared by the Tax Commission in such form, of such denominations and in such quantities as it may prescribe. The Tax Commission shall make provisions for the sale of such stamps in such places and at such times as it deems necessary. It shall be a misdemeanor for any person to sell any stamp in violation of the provisions prescribed for such sale by the Tax Commission.

SEC. 42-i. Whenever an adhesive stamp is used under this title, the person using or affixing it shall write or stamp thereon the initials of his name and the date on which the same is affixed or used and shall cut and perforate the stamp in a substantial manner so that it cannot be used again: *Provided*, That the Tax Commission may prescribe such other method for the cancellation of such stamps as it may deem expedient.

SEC. 42-j. The Tax Commission may provide by general regulation for redeeming or allowing for such stamps issued hereunder as may have been spoiled, destroyed, or rendered useless or unfit for the purposes intended, or for which the owner may have no use, or which have been erroneously affixed. The Tax Commission, upon presentation of a claim for the amount of such stamps, and upon the production of evidence satisfactory to it that such stamps were affixed erroneously so as to cause loss to the persons making the claim by said amount, or such part thereof as it may allow, shall refund the amount so erroneously paid by means of vouchers and by issuance of state warrants drawn upon and payable from such funds as the Legislature may provide. Such claims shall be presented to the Tax Commission in writing duly verified, shall state the full name and address of the claimant, the date of the erroneous affixing, and the face value of the stamps, shall describe the document to which the stamps were affixed, and shall contain such evidence as may be available upon which the demand for repayment is based. Such claims shall be presented within ninety days after the alleged erroneous affixing. If the Tax Commission rejects a claim or any part thereof, the claimant may appeal to the Superior Court of Thurston County, within thirty days after the date of the rejection. The appeal shall be perfected by serving a copy of the notice of appeal upon the Tax Commission within time herein provided and by filing the original thereof with proof of service with the Clerk of the Superior Court of Thurston County. Within ten days after filing notice of such appeal, the claimant shall file with the Clerk of the Superior Court a good and sufficient security company bond payable to the State of Washington in the sum of Two Hundred (\$200.00) Dollars, conditioned to diligently prosecute the appeal and pay the state all costs that may be awarded if the appeal of the taxpayer is not sustained. A trial in the Superior Court on appeal shall be *de novo* and without the necessity of any proceedings other than the notice of appeal. In such proceedings the taxpayer shall be deemed the plaintiff, and the State of Washington, the defendant; and both parties shall be entitled to subpoena and require the attendance of witnesses as in other civil actions and to produce evidence that is competent, relevant and material. Either party shall be allowed to appeal to the Supreme Court in the same manner as other civil actions are appealed to that court. No court action or proceeding of any kind shall be maintained by the taxpayer to recover any amount under this title, except as herein provided.

SEC. 42-k. No sale, transfer, or agreement to sell stock made after the first day of May, 1935, on which a tax is imposed by this Title, which tax is not paid at the time of such transfer, shall be made the basis of any action or legal proceeding, nor shall proof thereof be offered or received in evidence in any court in this state: *Provided*, That nothing contained in this paragraph shall apply to proceedings authorized by this Title.

Where, through accident, mistake or inadvertence and without any intent to evade this Title the said tax is not paid at the time of transfer, the Tax Commission may

allow the tax to be paid at a later time under such rules and regulations as it may from time to time establish, and if so paid the penalty provided for failure to pay the tax shall not be enforced and any transfer on which the tax shall so have been paid shall have the same legal effect as if the tax had actually been paid at the time of the transfer and shall not be subject to the provisions of the first paragraph of this section.

SEC. 42-1. Every person making a sale, agreement to sell, deliver or transfer stock, or conducting or transacting a brokerage business, shall keep or cause to be kept at some accessible place within the state a true book of accounts wherein shall be recorded, plainly and legibly, the date of making every sale, agreement to sell, delivery or transfer of stock, and every transaction in relation to any of such stock; and also the number of shares, the face value, the selling price, the name of the stock, the name of the seller, the name of the purchaser, and the face value of the stamps affixed to the instrument, certificate or memorandum as provided in Section 42-f. Such book shall be preserved for two years after the date of the last entry therein.

SEC. 42-m. Every corporation or association shall keep or cause to be kept at some accessible place within the state a stock certificate book, transfer ledger, or register, wherein shall plainly and legibly be recorded, in separate columns, the date of making every transfer of stock, the name and the number of shares thereof, the name of the party surrendering the certificates, the name of the party to whom certificates are issued in exchange therefor, and evidence of the payment of the tax imposed by Section 42-f, which evidence, however, shall be furnished in one of the following manners, to-wit:

(a) By attaching to the stock certificate surrendered for transfer the stamps required for such transfer, or

(b) If the stamps are not attached to the certificate but are attached to the memorandum of sale effecting or evidencing the transfer of such certificate, by attaching to the certificate said memorandum of sale with stamps attached.

The corporation or association shall retain and keep all surrendered or cancelled shares or certificates of stock and all bills or memoranda relating to the issue, sale or transfer of stock for at least two years after the date of the delivery thereof, and it shall also keep, for at least two years after the date of the last entry thereon the stock certificate book or transfer ledger provided for by this section.

SEC. 42-n. If any person, subject to the provisions of this Title or any rules and regulations promulgated by the Tax Commission under authority hereof, shall be found to have failed to affix the stamps required, or to have the same affixed as herein provided, or to pay any tax due hereunder, or to have violated any of the provisions of this Title or rules and regulations promulgated by the Tax Commission in the administration hereof, there shall be assessed and collected from such person, as tax and penalty, in addition to any tax that may be found due, a sum equal to the amount of any tax found to be due plus a penalty of twenty-five per cent and interest thereon at the rate of one per cent for each thirty days or portion thereof from the date the tax became due, and upon notice mailed to the last known address of the taxpayer said amount shall become due and payable in ten days, at which time the Tax Commission, or its duly authorized agent, may make immediate demand upon such taxpayer for the payment of all such taxes and penalties: *Provided*, That the Tax Commission, for good reason shown, may remit all or any part of the penalties imposed, but the taxpayer must pay all taxes due and interest thereon, at the rate of one per cent for each thirty days or portion thereof.

SEC. 42-o. Any person liable to pay the tax imposed by this Title, anyone who acts in the matter as agent or broker for such person, who makes any issue, sale, transfer or delivery of stock without paying said tax, and whenever in pursuance of any sale, transfer or agreement, delivers any such instrument or evidence of sale or transfer of or agreement to sell any stock, or bill of memorandum thereof, or transfers or causes the same to be transferred upon the books or records of the association or corporation, without having the stamps required by this Title affixed thereto, and any association or corporation whose stock is so sold or transferred, which shall transfer or cause the same to be transferred upon its books without having such stamps so affixed shall be punished by a fine of not less than Ten (\$10.00) Dollars nor more than Five Hundred (\$500.00) Dollars.

SEC. 42-p. Whoever wilfully removes or alters or knowingly permits to be removed or altered the cancelling or defacing marks of any stamps provided for by this Title with the intent to use such stamps, or knowingly or wilfully buys, prepares for

use, uses, has in possession, or suffers to be used, any washed, restored or counterfeit stamps and whoever intentionally removes or causes to be removed or knowingly permits to be removed, any stamp affixed pursuant to this Title shall be punished by a fine of not less than Five Hundred (\$500.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, or by imprisonment for not more than one year, or both.

Sec. 42-q. Whoever fraudulently makes use of an adhesive stamp to denote the payment of the tax imposed by this act without effectually cancelling it in accordance with Section 42-i, shall be punished by a fine of not less than Ten (\$10.00) Dollars nor more than Five Hundred (\$500.00) Dollars.

Sec. 42-r. All of the provisions contained in Title VIII of this Act shall have full force and application with respect to taxes imposed under the provisions of this Title: *Provided*, That the following sections of said Title VIII shall not apply hereto: Sections 101, 103, 106 and 118.

In Section 43, line 18, page 21 of the printed engrossed bill, strike all of line 18 excepting the words "Section 1."

In Section 45, line 4, page 23 of the printed engrossed bill, after the word "*imposed*" add the words "*and the exemption.*"

In Section 46, Subsection (o), line 16, page 26 of the printed engrossed bill, strike the word "petition" and insert in lieu thereof the word "decree."

In Section 48, line 44, page 27 of the printed engrossed bill, strike everything after the word "annum" to and including the word "removed" in line 4, page 28 of the printed engrossed bill and insert in lieu thereof " \* \* \* \* *from and after the expiration of ten months after the date of death.*"

In Section 49, lines 5 to 18 inclusive, page 28 of the printed engrossed bill, strike all of Section 49.

In Section 52, lines 3 to 33 inclusive, page 29 of the printed engrossed bill, strike all of Section 52.

In Section 54, line 14, page 30 of the printed engrossed bill, strike the figures "46" and insert in lieu thereof the figures "45."

In Section 63, lines 14 and 15, page 33 of the printed engrossed bill, strike everything but the words "Sec. 63" and insert in lieu thereof the following: "The provisions of the Title except Section 54 shall apply to all cases pending in the inheritance tax and escheat division and to all cases pending in any of the courts of this state, whether on appeal or otherwise, at the time this act takes effect, whether the death of the decedent occurred prior to the passage of this act or subsequent thereto: *Provided, however*, That the inheritance tax now due before the passage of this act may be paid under the law effective immediately before the passage of this act if paid within ten months from the time this law becomes effective: *Provided, further*, That if a portion of the inheritance tax is paid in any estate now pending within the ten months as herein provided, then the increased rates under this Title shall apply only upon the proportionate part of such estate remaining unpaid."

In Section 64, line 16, page 33, strike the words "Section 1 of Chapter 134 of the Laws of 1931," and in line 18, strike the figures "11201-B."

In Section 68, lines 29 and 30 of the printed engrossed bill, strike all of the matter contained in said lines 29 and 30.

In Section 70, line 39, page 34 of the printed engrossed bill, strike the words "one thousand dollars (\$1,000)" and insert in lieu thereof the words "three thousand dollars (\$3,000)."

In Section 75, Subsection (c), line 9, page 36 of the printed engrossed bill, strike the words "Tax Commission" and insert in lieu thereof the words "State Treasurer."

In Section 125, line 42, page 52 of the printed engrossed bill, change the period to a colon (:) and add the following: "*Provided, however*, That if any tax imposed under the provisions of Title II upon financial or banking institutions shall be held invalid as to national banks, no tax shall be imposed upon any state bank, mutual saving bank, or building and loan or saving and loan association under the provisions of Section 4 (e) of said title."

Amend the engrossed bill by renumbering all the sections thereof consecutively, correcting all cross references to conform with the new section numbers and renumbering the titles consecutively.

Amend Section 1 of the engrossed bill to correct section numbers and title headings.

Amend the engrossed bill by striking the entire title thereof and inserting in lieu thereof the following:

An Act relating to revenue and taxation; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in business activities; providing for the levy and collection of a tax or excise upon retail sales; providing for the levy and collection of a compensating tax; providing for the levy and collection of a license tax upon stores; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in public utility or public service business; providing for the levy and collection of a tax upon persons engaging in the business of radio broadcasting; providing for the levy and collection of a tax upon admissions to any place; providing for the levy and collection of a tax upon conveyances; providing for the levy and collection of a tax or excise upon the sale, use, consumption or distribution of tobacco or tobacco products; providing for the levy and collection of a tax or excise upon fuel oil and diesel oil; providing for the levy and collection of a tax upon stock issues and stock transfers; providing for the levy and collection of a tax upon inheritance and gifts; providing for the necessary administrative machinery for the collection and enforcement thereof; providing for certain exemptions and deductions; declaring certain acts in connection herewith unlawful and providing penalties; making appropriations; providing for the distribution of revenue derived hereunder; providing for shortening the operative period of Chapter 191, Laws of 1933, as amended; providing for the amendment of Sections 1, 2, 8, 12, 13, 15 and 18, Chapter 55, Laws of 1901, as amended, Section 4, Chapter 146, Laws of 1917, as amended, Section 95, Chapter 156, Laws of 1917, as amended, Section 5, Chapter 205, Laws of 1929, and Sections 4 and 7, Chapter 134, Laws of 1931; providing for the repeal of Section 1, Chapter 135, Laws of 1929, Sections 1 and 2, Chapter 202, Laws of 1929, as amended; declaring an emergency and that this act shall take effect immediately.

PAUL MEHNER, *Chairman*.

We concur in this report: Ralph Metcalf, W. R. Orndorff, E. N. Steele, Judson W. Shorett, A. M. Murfin.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., March 13, 1935.

We, a part of your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 237, have had the same under consideration, and we respectfully report the same back to the Senate without recommendation.

....., *Chairman*.

We concur in this report: H. I. Kyle, Mary U. Farquharson, James Dailey, W. J. Knutzen, L. E. Tewksbury.

SENATE CHAMBER,

MR. PRESIDENT:

OLYMPIA, WASH., March 13, 1935.

I, a part of your Committee on Revenue and Taxation, to whom was referred Engrossed House Bill No. 237, have had the same under consideration, and respectfully report the same back to the Senate with the recommendation that it do not pass.

....., *Chairman*.

I concur in this report: P. Frank Morrow.

On motion of Senator Mehner, the reports of the committee were received.

On motion of Senator Norman, the Senate resolved itself into a committee of the whole to consider Engrossed House Bill No. 237.

The bill was considered in the committee of the whole, Senator Peirce in the chair.

The President resumed the chair for the purpose of receiving messages from the House.

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 90; also Engrossed Substitute Senate Bill No. 226; also Engrossed Senate Bill No. 333; also Senate Bill No. 346; also

Engrossed Senate Bill No. 362; also  
Senate Bill No. 363; also  
Engrossed Substitute Senate Bill No. 364; and the same are herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has concurred in the Senate amendment to Engrossed House Bill No. 104; and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendment to Engrossed House Bill No. 513, and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to House Bill No. 198, and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to House Bill No. 689, and passed the bill as amended by the Senate.  
S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has laid on the table Engrossed Senate Bill No. 166; also  
Engrossed Substitute Senate Bill No. 212.  
S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has indefinitely postponed Engrossed Senate Bill No. 144; also

Engrossed Senate Bill No. 153; also

Engrossed Senate Bill No. 268; also

Senate Bill No. 330; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has passed Senate Bill No. 323 with the following amendments:

Amend the bill by striking all of Section 1 thereof following the figure 1, in line 1 of the printed bill and substituting in lieu thereof the following:

"That the provisions of Chapter 30, Laws of 1935, allowing a rebate of 3% to all taxpayers who shall pay the tax on real or personal property in one payment and in full on or before the 15th day of March next prior to the date of delinquency be modified for the year 1935 and that such taxpayers shall be allowed the said rebate of 3% upon full payment of the 1934 taxes on or before the 15th day of May, 1935."

Amend the bill by striking all of Section 2 following the figure 2, in line 5 of the printed bill and substituting in lieu thereof the following:

"The provisions of Chapter 30, Laws of 1935, and of this act, are hereby declared to be retroactive in respect to the allowance of rebates, and each and every taxpayer who shall pay in full his real or personal property taxes for the year 1934 on or before the 15th day of May, 1935, shall be entitled to the rebate by said Chapter 30, Laws of 1935, and this act provided, regardless of whether such payment or payments shall be made prior or subsequent to the taking effect of Chapter 30, Laws of 1935, or whether prior or subsequent to the effective date of this act."

Amend the title by striking the whole thereof and substituting therefor the following:

"An Act relating to taxation; extending the time within which rebates shall be allowed in the payment of taxes for the year 1934 due and payable in 1935; modifying the provisions of Chapter 30, Laws of 1935, relating to such rebates, and declaring that the act shall take effect immediately." and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Ryan (J. H.) moved that the Senate concur in the House amendments to Senate Bill No. 323.

The motion by Senator Ryan (J. H.) carried.

The Secretary called the roll on the final passage of Senate Bill No. 323, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.) Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—45.

Absent or not voting: Senator Tewksbury—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 Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 12, 1935.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 87 with the following amendments:

In Section 2, Subsection 2, lines 19, 20, 21 and 22 of the engrossed bill, being lines 16, 17 and 18 of the printed bill, strike Subsection 2 and insert in lieu thereof a new subsection to read as follows:

*"2. License to manufacturers of malt liquor, whether located within or without the state, to manufacture and/or sell malt liquor within the state, fee based upon the preceding calendar year's sales within the state, at the rate of \$25.00 per thousand barrels annual sales within the state, or fraction thereof, with a minimum fee of \$500.00: Provided, That no product of a manufacturer of malt liquor whether manufactured within or without the state may be sold within the state until such manufacturer has applied for and obtained the license herein provided for, and if the plant of such manufacturer is located outside the state, until such manufacturer has appointed a statutory agent within the state upon whom process may be served."*

In Section 2, Subsection 4, line 2 of the engrossed bill, being line 22 of the printed bill, strike the figures "\$2,500.00" and insert in lieu thereof the following \* \* \* \*  
*"\$1,000.00."*

In Section 2, Subsection 5, line 14 of the engrossed substitute bill, being line 8 of the printed bill, after the word "to" and before the word "beer", strike the words "brewers and."

In Section 2, Subsection 5, lines 19, 20, 21, 22, 23 and 24 of the engrossed bill, being lines 12, 13, 14, 15 and 16 of the printed bill, strike the whole thereof.

In Section 2, Subsection 9, line 22 of the engrossed bill, being line 39 of the printed bill, strike the period (.) and insert in lieu thereof a colon (: ) and add the words: *"Provided, That the license issued to taverns shall permit the sale of light wines only."*

Amend Section 3, Subsections 2 and 2A, by striking the whole thereof and inserting in lieu thereof the following:

*"2. For the purpose considering any application for a license, the board may cause an inspection of the premises to be made, and may inquire into all matters in connection with the \* \* \* \* construction and operation of the premises. The board, after a hearing, may, for cause, refuse any application or suspend or cancel any license: Provided, That no applicant for a license shall be entitled to a hearing unless within five days after receipt of notice that such application is refused, which notice shall state the reason for such refusal, such applicant shall notify the board in writing of his request for a hearing. Such hearings shall be before the board or any member thereof or an examiner appointed by the board and shall be upon oral or written*

testimony. The members of the board and/or said examiners shall have the power to administer oaths, issue subpoenas for the attendance of witnesses and the production of books, papers, accounts, documents and testimony and to receive testimony in any inquiry, investigation, hearing or proceeding in any part of the state, under such rules and regulations as the board may adopt. Failure or refusal of any person to obey any lawful order of any member of the board or examiner in the course of any such hearing shall be punished, upon application of a member of the board or an examiner to the superior court judge of the county in which the person resides, by contempt proceedings in the same manner as if such disobedience has been to an order issued by said court. Upon proper request the board shall issue subpoenas for witnesses on behalf of any applicant or licensee who is a party to such hearing. After such hearing the board shall render a written decision and may, assigning a reason therefor, refuse any application or suspend or cancel any license. Such decision shall terminate any and all rights which the applicant or licensee may have had thereunder: Provided, That such decision or action by the board may be reviewed by the superior court as hereinafter provided: Provided, That no retail license of any kind shall be issued to:

- (1) A person who is not a citizen of the United States except when in contravention of treaty;
- (2) A person who has not resided in the State of Washington for at least one year prior to making application except in cases of licenses issued to dining places on railroads, boats or airplanes;
- (3) A person who has been convicted of a felony within 5 years prior to filing his application;
- (4) A copartnership, unless all of the members of such copartnership shall be qualified to obtain a license, as provided in this section;
- (5) A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee;
- (6) A person who has been convicted of a violation of any Federal or State law concerning the manufacture or sale of alcoholic liquor subsequent to the passage of this act;
- (7) A corporation, unless all of the officers thereof are citizens of the United States.

Amend the amendment to Section 3, subsections 2 and 2A, by adding thereto a new subdivision to be known as Subdivision (8) to read as follows:

(8) Any law enforcement official, any mayor, member of the city council or commission, or any member of the board of county commissioners; and no such official shall be financially interested in any way, either directly or indirectly, in the manufacture, sale or distribution of alcoholic liquor."

Amend the amendment to the Committee amendment to Section 3, Subsections 2 and 2A, Subdivision (8): In line 3 of the amendment to the amendment, after the word "commissioners" and before the semicolon (;) insert the words "or any member or employee of the Washington State Liquor Control Board."

Amend Section 5, Subsection 1 d, in line 19 of the engrossed bill, being line 7 of the printed bill, after the figures "32", strike the period (.) and insert in lieu thereof a colon (: ) and add the following words: "Provided, That this section does not apply to domestic wineries."

In Section 8, line 27 of the engrossed bill, being line 40 of the printed bill, after the word "of" and before the word "county" strike the word "any" and insert in lieu thereof the word "the."

Strike the whole of Section 9 and insert in lieu thereof the following:

"SEC. 9. That Section 62 of Chapter 62 of the Laws of the Extraordinary Session of 1933, the same being Section 7306-62, Remington's Revised Statutes, be amended to read as follows:

"SECTION 62. Save as in this act otherwise provided the action, order or decision of the board as to any permit or license shall be final and shall not be \* \* \* \* \* restrained by injunctions, prohibition or other process or proceeding in any court \* \* \* \* \* : Provided, That any person whose application for a license has been denied or whose license has been revoked, believing that the decision of the board is arbitrary, capricious or fraudulent, may appeal to the superior court by writ of review, application for which writ must be filed in the superior court within ten days after notice and receipt of the decision of the board has been given to the aggrieved licensee. Such licensee shall, at his own expense, prepare a written transcript of all the testimony given at the hearing, and the decision of the board, which, together with the exhibits, if there

are any, shall constitute the only record for the superior court to pass upon in determining whether or not the decision was arbitrary, capricious or fraudulent. No testimony shall be offered other than the records. All such appeals shall be heard by the superior court as expeditiously as possible and shall take precedence over all other cases excepting criminal trials and cases of extreme emergency, now provided by law. In the event that the transcript of the testimony may for any reason be impossible to obtain within five days, the application for writ of review shall state such reason or reasons, and the court in its discretion may or may not grant additional time for the filing of the transcript. The decision of the superior court shall be final, and no appeal shall be taken from said decision to the supreme court."

In Section 11, page 9, Subsection 1, line 1 of the engrossed bill, being line 6 of the printed bill, after the word "board," strike the rest of the subsection.

In Section 11, page 9, Subsection 3, line 30 of the engrossed bill, being lines 25 and 26 of the printed bill, strike the word "including" and insert in lieu thereof the word "excepting."

In Section 12, line 21, page 16 of the engrossed bill, being line 2, page 10 of the printed bill, strike the figures "\$5,000.00" and insert in lieu thereof the figures "\$10,000.00".

In Section 12, line 24, page 16 of the engrossed bill, being line 44 of the printed bill, strike the figures "\$5,000.00" and insert in lieu thereof the figures "\$10,000.00."

Amend the bill by adding thereto a new section to be known as Section 17 to read as follows:

"SEC. 17. Amend Chapter 62 of the Laws of the State of Washington, Extraordinary Session of 1933, by adding thereto a new section to be known as Section 23A to read as follows:

"Section 23A. No unpasteurized beer shall be sold in jugs, packages, barrels or other containers of less than three and seven-eighths ( $3\frac{7}{8}$ ) gallons: Provided, however, That any person holding a class A or class B or class E license may fill a container, brought to the premises by a consumer."

Amend the bill by renumbering all sections consecutively.  
and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Lovejoy moved that the Senate do not concur in the House amendments to Engrossed Substitute Senate Bill No. 87 and ask the House to recede therefrom.

The motion by Senator Lovejoy carried.

The Secretary read:

#### REPORT OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills to whom was referred Enrolled Senate Bill No. 323, entitled: "An Act relating to taxation; extending the time within which rebates shall be allowed in the payment of taxes for the year 1934 due and payable in 1935; modifying the provisions of Chapter 30, Laws of 1935, relating to such rebates, and declaring that the act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, W. J. Knutzen.

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

The President signed Senate Bill No. 323.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 13, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 348 with the following amendments:

Amend the bill by adding thereto a new section to be known as Section 2, to read as follows:

*"Sec. 2. That Section 18, Chapter 58 of the Laws of 1933, the same being Section 8327-18 of Remington's Revised Statutes, be amended to read as follows:*

*Sec. 18. Any person desiring to claim a refund shall obtain an annual permit from the director of licenses by application therefor on such form as he shall prescribe, which application therefor shall be made under oath and shall contain, among other things, the name, address and occupation of the applicant and the nature of the business and a sufficient description for identification of the machines or equipment in which the motor vehicle fuel is to be used, for which refund may be claimed under such permit. The permit shall bear a permit number and all applications for refund shall bear the number of the permit under which it is claimed. It is the duty of the director of licenses to keep a permanent record of all permits issued and a cumulative record of the amount of refund claimed and paid thereunder. Such permit shall be obtained before or at the time that the first application for refund is made under the provisions of this chapter. At the time of filing an application for annual refund permit, the applicant shall pay to the director of licenses an annual permit fee of fifty (50) cents which shall be deposited in the motor vehicle fund. All permits shall expire on the thirty-first day of March following the date of their issue.*

*Any person who shall use any motor vehicle fuel as herein defined for the purpose of operating any internal combustion engine not used on nor in conjunction with any motor vehicle capable of being operated upon a public highway, and as the motor power thereof, upon which motor vehicle fuel excise tax provided for in this chapter has been paid, shall be entitled to and shall receive a refund of five (5) cents for each gallon of motor vehicle fuel so used. Every person who shall purchase and use any motor vehicle fuel as herein defined as an ingredient for manufacturing or for cleaning or dyeing or for some other similar purpose and upon which the motor vehicle fuel excise tax provided for in this chapter has been paid shall be entitled to and shall receive a refund of five (5) cents for each gallon of motor vehicle fuel so used. Every person who shall export any motor vehicle fuel as herein defined for use outside of this state and who shall have paid the excise tax upon such motor vehicle fuel as required by this chapter, either directly to the vendor from whom it was purchased or indirectly by adding the amount of such excise tax to the price of such fuel, shall be entitled to and receive a refund of five (5) cents for each gallon of motor vehicle fuel so exported: Provided, That any motor vehicle fuel carried from this state in the fuel tank of a motor vehicle shall not be considered as exported from this state. Any person or persons claiming any refund for any motor vehicle fuel used or exported as in this section provided shall not be entitled to receive such refund until such person or persons presents to the director of licenses such claim by affidavit upon forms to be provided by the director of licenses with such information as the director of licenses shall require, which claim and affidavit to be valid shall in all cases be accompanied by the invoice or invoices issued to the claimant at the time of the purchase or purchases of such motor vehicle fuel, approved as to invoice form by the director of licenses. Any person claiming refund as herein provided by reason of exportation of motor vehicle fuel shall in addition to the affidavit and invoices required furnish to the director of licenses the export certificate therefor. In all cases such affidavit shall be signed by the person claiming such refund, or if it be a corporation, by some proper officer thereof and the signature thereon shall be certified by a notary public that the claimant is known to him and that the same was subscribed and sworn to by such claimant in his presence.*

*Any person claiming refund from motor vehicle fuel used other than in motor vehicles as herein provided may be required by the director of licenses to also furnish information by affidavit regarding the amount of motor vehicle fuel purchased from other sources or for other purposes during the period reported upon which no refund is claimed.*

Upon the approval of the director of licenses of such claim for refund, the state auditor shall draw his warrant upon the state treasurer for the amount of such claim in favor of the person making such claim and such warrant shall be paid from the excise tax collected on motor vehicle fuel: Provided, That application for any refunds or excise tax paid as in this section provided shall be filed in the office of the director of licenses not later than 5:00 o'clock in the afternoon of the sixtieth (60th) day following the date of purchase of such motor vehicle fuel, which time may be extended by the director of licenses for an additional period of not to exceed six months, and if not filed within such extended period then the right to such refund shall be forever barred. Any person or the member of any firm or the officer or agent of any corporation who shall make any false statement in any affidavit required herein for the refund of any excise tax, as provided in this section, or who shall collect or cause to be repaid to him or to any other person any such refund without being entitled to the same under the provisions of this section shall be guilty of a gross misdemeanor.

The director of licenses shall have the right in order to establish the validity of any claim for refund to require the claimant to furnish such additional proof of the validity of such claim as said director of licenses may determine, and to examine the books and records of the claimant for such purpose and the failure of the claimant to accede to the demand for such examination shall constitute a waiver of all rights to refund claimed on account of the transaction in question.

If upon investigation it shall be determined by the director of licenses that any claim or claims have been supported by invoice or invoices fraudulently made or altered in any manner to support such claim or claims, the director of licenses shall have the right to suspend the pending and all further refunds to any such person, firm or corporation making such claim or claims, for a period not to exceed one year.

When motor vehicle fuel is sold to a person who shall claim to be entitled to a refund of the tax hereunder imposed, the seller of such motor vehicle fuel shall make and deliver at the time of such sales separate invoices for each purchase on invoice forms approved by the director of licenses showing the name and address of the seller and the name and address of the purchaser, the number of gallons of motor vehicle fuel so sold written in words and figures and the date of such purchase. Such invoices shall be legibly written and shall be void if any corrections or erasures appear on the face thereof.

A refund shall be made in the manner provided in this section or a credit allowed for the excise tax paid or accrued on all motor vehicle fuel which, after shipment or receipt, shall be destroyed by fire, lightning, flood, wind storm, or explosion, but such destruction must be proved to the complete satisfaction of the director of licenses.

Amend the title by striking the period (.) at the end thereof, and inserting in lieu thereof a comma (,) and add the following:

*"and amending Section 18, chapter 58 of the Laws of 1933, the same being Section 8327-18 Remington's Revised Statutes."*  
and the same is herewith transmitted.

S. R. HOLCOMB, Chief Clerk.

Senator Smith moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 348.

The motion by Senator Smith carried.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 348, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Steele, Tewksbury, Thomas, Todd—35.

Absent or not voting: Senators Brunton, Gannon, Keller, Maxwell, Metcalf, Miller, Murfin, Nugent, Stinson, Thein, Worum—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 14, 1935.

MR. PRESIDENT:

The House has passed Senate Joint Resolution No. 7 with the following amendments:

In line 5, after the word "rejection," strike the remainder of the resolution and insert in lieu thereof the following: "a proposal to amend the Constitution of the State of Washington as follows:

"Section 12 of Article XI is hereby repealed and Section 1 and Section 9 of Article VII are amended to 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. Taxes may be imposed at graduated or progressive rates.*

"Section 9. The legislature may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessment, or by special taxation of property benefited. \* \* \* \* *The legislature shall have no power to require the levy and collection of taxes by counties, cities, towns or other municipal corporations for county, city, town or other municipal purposes, but for all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, subject to such restrictions as the legislature may impose; \* \* \* \* such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.*

"*And be it further resolved, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county where a newspaper is published throughout the state.*

Amend the Title, line 1 of the original bill, being line 1 of the printed bill, after the word "submission" strike the remainder of the title and insert in lieu thereof the following:

"of a proposal to amend the Constitution of the State of Washington with respect to the subject of taxation and assessments; strike Section 12 of Article XI and amend Sections 1 and 9 of Article VII thereof."

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Peirce moved that the Senate concur in the House amendments to Senate Joint Resolution No. 7.

Senators Miller, Kyle, Farquharson, Morrow, Maxwell, Thomas, Ryan (J. H.) and Gannon demanded a roll call on the motion by Senator Peirce.

A roll call was ordered.

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

Those voting aye were: Senators Bengtson, Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, Mehner, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thein, Thomas, Worum—26.

Those voting nay were: Senators Barnes, Brunton, Dawson, Drumheller, Duggan, Garrett, Knutzen, McAulay, McMillan, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Steele, Todd—17.

Absent or not voting: Senators Keller, Metcalf, Smith—3.

Senator Murphy (Kebel) moved that the Senate reconsider the vote by which the Senate concurred in the House amendments to Senate Joint Resolution No. 7.

The motion by Senator Murphy (Kebel) carried.

Senator Norman moved that the motion by Senator Peirce to concur in the House amendments to Senate Joint Resolution No. 7 be laid on the table. The motion by Senator Norman carried.

Senator Todd moved that the Senate do not concur in the House amendments to Senate Joint Resolution No. 7 and ask the House to recede therefrom.

The motion by Senator Todd carried.

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 323, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has indefinitely postponed Senate Bill No. 277; also Engrossed Senate Bill No. 323; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The President signed Senate Bills Nos. 250, 252, 253, 254, 353, and Substitute Senate Bill No. 86.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 19; also Senate Joint Resolution No. 20; also Engrossed Senate Bill No. 34; also Engrossed Senate Bill No. 38; also Engrossed Senate Bill No. 118; also Engrossed Senate Bill No. 147; also Senate Bill No. 158; also Engrossed Senate Bill No. 160; also Engrossed Senate Bill No. 223; also Engrossed Senate Bill No. 267; also Senate Bill No. 274; also Senate Bill No. 319; also Senate Bill No. 324; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Miss Jennie Lee, member of the British Parliament, was escorted to a chair beside the President by Senators Malstrom and Farquharson.

President *Pro Tempore* Peirce resumed the chair for the purpose of further consideration of Engrossed House Bill No. 237.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate without recommendation.

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

On motion of Senator Murphy (Kebel), the following amendments read in the committee of the whole were adopted:

In Section 4, sub-section (c), line 38, page 2, of the printed engrossed bill, strike all of said subsection (c) down to and including the semi-colon, following the word "cent," in line 26, page 3, of the printed engrossed bill, and insert in lieu thereof the following:

"(c) Upon every person engaging within this state in the business of making sales at retail; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of one-quarter of one per cent."

In Section 4, sub-section (d), line 29, page 3 of the printed engrossed bill add an "s" to the word "sale."

In Section 4, subdivision (d), page 3, line 30 of the printed bill, being page 4, line 31 of the original Engrossed House Bill, strike everything after the period following the word "cent," down to and including the semicolon following the word "corporation" in line 33, being page 5, line 5 of the original Engrossed Bill, and insert in lieu thereof the following paragraph: "The tax imposed under this subdivision (d) shall likewise be imposed upon persons engaged in distributing articles of tangible personal property owned by them from a warehouse or other central location to a group of retail stores, the intent hereof being to impose the wholesaling tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales; as to such persons, the amount of tax, with respect to such business, shall be equal to the value of the articles distributed, multiplied by the rate of one-quarter of one per cent; this value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this State of similar articles of like quality and character, and in similar quantities by other taxpayers. The Tax Commission shall prescribe uniform and equitable rules for the purpose of ascertaining such value. If the provisions of this paragraph, for any reason, shall be adjudged invalid, such judgment shall not invalidate the provisions of the first paragraph of this subdivision."

In Section 4, sub-section (e), line 43, page 3 of the printed engrossed bill, strike the words "and advertising and hotel" and insert in lieu thereof a comma (,) followed by the words "advertising, hotel, publishing and real estate rental."

In Section 4, sub-section (f), line 44, page 3, and lines 1 to 6 inclusive, page 4 of the printed engrossed bill, strike all of said sub-section (f).

In Section 4, sub-section (g), lines 7 to 10, page 4 of the printed engrossed bill, strike all of said sub-section (g).

In Section 5, sub-section (4), line 29, page 4 of the printed engrossed bill, after the word "substance," insert the following: "*Provided*, That feed and food stuffs sold to the original producers of milk, eggs, wool, fur or other substances obtained from breeding or raising any livestock, animals or poultry shall not be included hereunder, but shall be considered sales at wholesale."

In Section 5, sub-section 4, line 30, page 4 of the printed engrossed bill, after the word "component" and before the period (.) insert the words "or is a chemical used in processing same."

In Section 7-a, lines 34 and 35, page 6 of the printed engrossed bill, strike the words "measured by the gross earnings upon such sales" and insert in lieu thereof the words "equal to the gross earning upon such sales multiplied by the rate of one-half of one per cent."

In Section 10, lines 15 to 22, inclusive, page 7 of the printed engrossed bill, strike all of sub-section (a) and insert in lieu thereof the following:

"(a) Any person engaging in the business of selling at retail whose gross proceeds of sales is less than one thousand (\$1,000.00) dollars, and any person engaging in any other business activity whose value of products, gross proceeds of sales or gross income of the business is less than four hundred (\$400.00) dollars, for a bi-monthly period: *Provided, however*, That where one person engages in more than one business activity and the combined measures of tax applicable to such businesses exceed four hundred (\$400.00) dollars, or, where one of such business activities is that of selling at retail, one thousand (\$1,000.00) dollars, for the taxable bi-monthly period, no exemption or deduction from the amount of tax is allowed by this provision: *Provided, further*, That any person claiming exemption under the provisions of this sub-section may be required to file returns as provided herein even though no tax may be due."

In Section 10, subsection (d), line 33, page 7 of the printed engrossed bill, strike the words "business of selling" and insert in lieu thereof the words "sale of."

In Section 10, subsection (d), line 33, page 7 of the printed engrossed bill, after the word "wholesale" in line 33 and before the period (.), insert the words "by the grower or producer thereof."

In Section 11, page 8, lines 10 to 14 of the printed engrossed bill, strike all of subsection (a) and re-letter the remaining subsections consecutively.

In Section 11 (c), page 8, line 21 of the printed engrossed bill, change the semicolon to a colon and add the following: "Provided that dues which are for, or graduated upon, the amount of service rendered by the recipient thereof are not permitted as a deduction hereunder."

Amend Sec. 11 by adding thereto a new sub-section to read as follows: "Sub-section (g).

Amounts derived by any person as compensation for the receiving, washing, sorting and packing of fresh perishable horticultural products and the material and supplies used therein when performed for the person exempted in subsection "d" of Section 10, this title, either as agent or as independent contractor."

In Section 12a, line 5, page 9 of the printed engrossed bill, after the word "persons," insert a period (.) and strike the remainder of the section.

Amend Section 13-a; strike the period and add the following: "On every sale except sales of foodstuffs for human consumption."

In Sec. 13-e, page 10, line 5 of the printed engrossed bill, strike the letter "s" from the word "items."

In Sec. 13-g, page 10, line 18 of the printed engrossed bill, strike out the words "and the state."

In Sec. 13-h, page 10, line 42 of the printed engrossed bill, insert after the word "be" and before the word "accepted," the word "redeemed" and a comma.

In Sec. 13-j, page 11, line 11½ of the printed engrossed bill, add a new paragraph to read as follows: "The Tax Commission, by general regulation, may provide that a taxpayer whose regular books of account are kept on a cash receipts basis may file returns based upon his cash receipts for each bi-monthly period and pay the tax herein provided upon such basis in lieu of reporting and paying the tax on all sales made during such period."

In Sec. 13-m, page 11, line 22 of the printed engrossed bill, strike the word "Act" and insert in lieu thereof the word "Title."

In Sec. 13-m, page 11, line 24 of the printed engrossed bill, after the word "be" insert the words "guilty of a felony," and strike the remainder of the section.

In Sec. 13-n, page 11, line 26 of the printed engrossed bill, strike the figure "3" and insert in lieu thereof the figure "8."

In Sec. 13-o, page 11, line 29, of the printed engrossed bill, strike the word "pre-exempt" and insert in lieu thereof the word "preempt."

In Sections 13-n and 13-o, lines 26 and 29 of the printed engrossed bill, reverse the position of the sections and renumber accordingly.

Insert a new title to be known as Title II-B, to read as follows:

#### TITLE II-B. COMPENSATION TAX.

SEC. 13-p. 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 subsequent to April 30, 1935. Such tax shall be levied and collected in an amount equal to the purchase price paid by the taxpayer multiplied by the rate of 2%.

SEC. 13-q. The provisions of this title shall not apply:

(1) In respect to the use of any article of tangible personal property brought into the State of Washington by a non-resident thereof for his or her use or enjoyment while within the state;

(2) In respect to the use of tangible personal property purchased other than at retail;

(3) In respect to the use of any article of tangible personal property the sale or use of which has already been subjected to a tax equal to or in excess of that imposed by this title whether under the laws of this state or of some other state of the United States;

(4) In respect to the use of tangible personal property purchased during any calendar month, the total purchase price of which is less than twenty (\$20.00) dollars.

SEC. 13-r. If any article of tangible personal property has already been subjected to a tax by this or any other state in respect to its sale or use in an amount less than the tax imposed by this title, the provisions of this title shall apply, but at a rate measured by the difference only between the rate herein fixed and the rate by which the previous tax upon the sale or use was computed.

SEC. 13-s. Each taxpayer subject to the provisions of this title shall, on or before the fifteenth day of every calendar month, 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 calendar month 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.

SEC. 13-t. For the purposes of this title:

(1) The term "purchase price" shall mean the consideration paid or given or contracted to be paid or given by any person to the seller of an article of tangible personal property for the article purchased. The term shall include, in addition to the consideration paid or given or contracted to be paid or given, the actual cost of transportation from the place where the article was purchased to the person using the same in this state.

(2) The meaning ascribed to words and phrases in Titles II and II-A and all the provisions of Title VIII 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: *Provided, however,* That in applying the provisions of Section 115, the warrant shall direct the sheriff to levy upon and sell only the personal property the use of which is subject to tax under this title, and the lien therein provided for shall attach only to such property.

Amend the engrossed bill by inserting a new title to be known as Title II-C Store License Tax reading as follows:

#### TITLE II-C. STORE LICENSE TAX.

SECTION 13-u. There is hereby imposed upon every person opening, establishing, operating and maintaining in this state a store or stores under singular ownership, an annual tax for each calendar year during any part of which such store or stores are operated or maintained, which tax shall be payable at the time of making the application for licenses required under the provisions of Section 13-v to be determined as follows:

- (1) Upon one store, Five Dollars (\$5.00);
- (2) Upon two stores or more, but not to exceed five stores, Twenty-five Dollars (\$25.00), for each such additional store;
- (3) Upon each store in excess of five, but not to exceed ten, Fifty Dollars (\$50.00), for each such additional store;
- (4) Upon each store in excess of ten, but not to exceed twenty, Seventy-five Dollars (\$75.00), for each such additional store;
- (5) Upon each store in excess of twenty, but not to exceed fifty, One Hundred Dollars (\$100.00), for each such additional store;
- (6) Upon each store in excess of fifty, One Hundred Twenty-five Dollars (\$125.00), for each such additional store.

SECTION 13-v. Every person subject to the tax imposed by Section 13-u shall apply to the Tax Commission for a license for each store within this state under single or common ownership, supervision or management. The application for a license shall be made on a form which shall be prescribed and furnished by the Tax Commission, and shall set forth the name of the owner, manager, lessee or other person desiring such license; the name of such store; the location, including the street number of such store; and such other facts as the Tax Commission may require. One application blank may contain the application for any number of licenses.

SECTION 13-w. As soon as practicable after the receipt of any application, the Tax Commission shall carefully examine such application to ascertain whether it is in proper form and contains the necessary and requisite information. If, upon examination thereof, the Tax Commission shall find that any such application is not in proper form and does not contain the necessary and requisite information, such application shall be returned for correction. If an application is found to be satisfactory, and if the tax prescribed in Section 13-u shall have been paid, the Tax Commission shall issue to the applicant a license for each store for which an application for

a license shall have been made. Each licensee shall display the license so issued in a conspicuous place in the store for which such license is issued. Any person, having secured a license as required herein, desiring to change the location of the store for which the license shall have been issued, shall make application to the Tax Commission, on a form provided therefor by the Tax Commission, to have such license corrected so as to show the new location of the store theretofore licensed. Such application shall be accompanied by the license previously issued, but no additional tax shall be assessed under the provisions of Section 13-u because of such change of location.

SECTION 13-x. All licenses shall be so issued as to expire on the thirty-first day of December of each year. On or before the thirty-first day of December of each year, every person having a license, shall apply to the Tax Commission for a renewal license for the calendar year next ensuing. All applications for renewal licenses shall be made on forms which shall be prescribed and furnished by the Tax Commission. Each such application for a renewal license shall be accompanied by a remittance for the amount of the tax due under the provisions of Section 13-u.

(1) The term "store" means and includes any place of business or mercantile establishment, leased department, stall or stand, in or from which goods, wares, merchandise or commodities of any kind are sold at retail: *Provided, however*, That the word "store" shall not be construed to include warehouses used exclusively for the storage of goods, wares, merchandise or commodities which are withdrawn therefrom in consummation of sales made at a central store: *Provided, further*, That where goods, wares, merchandise or commodities are sold under single or common ownership or supervision from more than one room, building or place, all of which are located within a radius of five hundred feet of a common center and used as inter-related and dependent departments of one unified business establishment, such combination of rooms, buildings or places, for the purposes of this act, shall be construed to be but one store;

(2) The term "single ownership" means not only legal ownership by one person (as herein defined) but also control, supervision, domination or management by one person (as herein defined) through legal or equitable ownership, ownership or control of corporate stock or other shares, holding companies, voting trust agreements, trust arrangements, leasing or consignment agreements or any other device whatsoever whereby control, supervision, domination or management is effected or whereby the gross revenue, net revenues or profits from store operations, directly or indirectly, immediately or ultimately, are made available for the beneficial uses or directly or indirectly, inure to the immediate or ultimate benefit of one person (as herein defined).

(3) The meaning ascribed to the words "person," "sale," and "sale at retail" in Title II and all the provisions of Title VIII of this act insofar as applicable shall have full force and effect with respect to the taxes imposed under the provisions of this Title.

Amend Section 14 under sub-section 1, page 11, line 40, by striking after the word "telegraph" the words, "and highway transportation."

Amend Section No. 14 under sub-section III, page 11, line 42, by inserting after the word "interurban" the words "and highway."

In Section 14, page 11, and 12 of the printed engrossed bill reverse the order of schedules V and IV, renumbering them accordingly.

In Section 15 (10) (c), line 5, page 13 of the printed engrossed bill, add after the word "towns" and before the semicolon the words "or within 3 miles of such limits."

In Section 17, line 28, page 13 of the printed engrossed bill, change the period after the word "thereof" to a colon and insert after it the following: "*Provided, however*, that any person claiming exemption under the provisions of this section may be required to file returns as provided herein even though no tax may be due.

In Section 18-b, line 36, page 13 of the printed engrossed bill, after the word "such" and before the period (.) insert the words "within this state."

In Section 21, page 14, after line 22, insert a new Title to be known as Title III-A, to read as follows:

**"TITLE III-A. RADIO BROADCASTING TAX.**

"SEC. 21-a. From and after the first day of May, 1935, there is hereby levied and shall be collected a tax from every person engaging in the business of radio broadcasting. The tax as to such persons shall be for the use of electrical energy in the production or generation of radio frequency waves. Such tax shall be equal to ten cents per kilowatt hour power input to the final or power stage of each radio broadcasting station.

"Sec. 21-b. For the purposes of this Title, unless otherwise required by the context:

"The word 'person' shall mean any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, corporation, company, joint stock company, business trust, municipal corporation, club, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit or otherwise.

"Sec. 21-c. The taxes imposed hereunder shall be due and payable in bi-monthly installments and remittance therefor shall be made on or before the fifteenth day of the month next succeeding the end of the bi-monthly period in which the tax accrued. The taxpayer, on or before said fifteenth day of said month, shall make out a return, upon such forms and setting forth such information as the Tax Commission may require, showing the amount of tax for which it is liable for the preceding bi-monthly period, sign and transmit the same to the Tax Commission, together with a remittance for said amount.

"Sec. 21-d. The provisions of Title VIII which relate to the assessment and collection of taxes are hereby extended to, and made a part of, this Title as far as applicable for the purpose of collecting the taxes levied under this Title."

Beginning with Title IV, strike the balance of the bill.

Amend Title by striking in line 9 all remaining words after word "penalty" and inserting period after word penalty.

Senator Maxwell moved that the reading 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 Miller moved the adoption of the following amendment to Engrossed House Bill No. 237:

Strike everything beneath the enacting clause and substitute the following:

SECTION 1. The limitations on the taxing power of the various municipalities of the state make it imperative that the state assume a larger part of the expense necessary to provide reasonable support for public education and for the care of indigent persons and the unemployed. To meet the obligations so imposed, and better to distribute the burden of taxation, the State of Washington hereby declares its purpose to levy a tax on persons engaged in business activities and upon commodities, as enumerated in this act and in the manner hereinafter in this act set forth, and the State of Washington does hereby preempt all fields of taxation included hereunder and no city, town, political subdivision or other municipality within the state shall have the right to impose, levy or collect any excise tax, license fee or other tax, based upon any business or occupation, or measured by any sale, receipt or distribution of any product included hereunder.

Sec. 2. That Section 2, Chapter 191, Laws of 1933, be and the same is hereby amended to read as follows:

Section 2. \* \* \* \* *From and after April 1, 1935*, there is hereby levied against and collected from every person an annual tax or excise for the privilege of engaging in business activities. Such tax or excise shall be measured by the application of rates against values, gross proceeds of sales, or gross income, as the case may be, as follows:

\* \* \* \* (1) Upon every person engaging or continuing within this state in the business of manufacturing, compounding or preparing for sale, profit or use any article or articles, substance or substances, commodity or commodities; as to such persons the amount of the tax or excise shall be equal to the value of the articles manufactured, compounded or prepared for sale, as shown by the proceeds derived from the sale thereof by the manufacturer or person compounding or preparing the same (except hereinafter provided) multiplied by the rate of twenty-five one-hundredths of one per cent.

\* \* \* \* (2) Upon every person engaging or continuing within this state in the business of selling, as a wholesaler or jobber, any tangible property, real or personal (except, however, bonds or other evidences of indebtedness or stocks); as to such persons the amount of the tax or excise shall be equal to the gross proceeds of sales of the business multiplied by the rate of one-fourth of one per cent.

\* \* \* \* (3) Upon every person engaging or continuing within this state in the business of selling at retail, or other than as a wholesaler or jobber, any tangible property whatever, real or personal (except, however, bonds or other evidences of indebtedness or stocks); as to such persons the amount of the tax or excise shall be equal to the gross proceeds of sales of the business multiplied by the rate of five-tenths of one per cent.

\* \* \* \* (4) Upon every person engaging or continuing within this state in the following businesses; as to such persons the amount of tax or excise shall be equal to the gross income of the business multiplied by the rate set out after the business, as follows:

I. National banking associations, state banks, trust companies, mutual savings banks, building and loan or savings and loan associations, industrial loan companies; four-tenths of one per cent;

II. Stock brokers and security houses; two per cent;

III. Steam railways; one and one-half per cent;

IV. Electric interurban railways, street railways, and all automotive transportation systems operating entirely within the limits of any city or town or contiguous cities or towns: five-tenths of one per cent;

V. Light and power companies; three per cent;

VI. Telephone and telegraph companies; three per cent;

VII. Water companies, except, however, irrigation companies and districts; three per cent;

VIII. Manufactured gas companies; two per cent;

IX. Express companies; two per cent;

X. Car companies; two per cent;

XI. Passenger and freight highway transportation companies, including certificated, contract and for hire carriers; one-half per cent;

XII. All other public service companies and utilities; one and one-half per cent;

XIII. Finance companies engaged in the business of loaning money on retail sales or of discounting or rediscounting conditional or other sales contracts; two per cent;

\* \* \* \* XIV. Upon every person engaging in or continuing within this state in the business of operating or conducting a theater, moving picture or talking picture theater and a part of the admission inures to the benefit of some person other than the operator of such theater by way of royalty or rental that the tax herein provided shall be imposed against and retained from such royalty or rental, in proportion that such royalty bears to the gross income and upon every other theater, athletic contest, exhibition, dance, fair, carnival or other place of recreation or amusement; as to such persons the amount of the tax or excise shall be equal to the gross income derived from admissions, multiplied by the rate of one and one-half per cent;

\* \* \* \* XV. Upon every person engaging in or continuing within this state in the business of outdoor advertising; as to such persons the amount of the tax or excise shall be equal to the gross income of the business, multiplied by the rate of one per cent;

\* \* \* \* XVI. Upon every person engaging in or continuing within this state in the business of publishing newspapers; periodicals or magazines; as to such persons the amount of the tax or excise shall be equal to the gross income of business, multiplied by the rate of twenty-five one-hundredths of one per cent;

\* \* \* \* XVII. Upon every person engaging in or continuing within this state in the business of radio broadcasting; as to such persons the amount of the tax or excise shall be equal to the gross income of the business, multiplied by the rate of one per cent;

\* \* \* \* The terms of this subdivision shall apply with equal force to any municipal corporation or district engaging in any of the business activities herein mentioned: *Provided, however,* That moneys received from tax sources shall not be included in computing the gross proceeds of sales or gross income upon which such tax shall be based. This paragraph shall be so interpreted as to give effect to the intent of this act which is declared to be imposed upon municipally owned and/or operated utilities and businesses coming within the purview of this subdivision an excise at the same rate as is herein imposed upon privately owned utilities or businesses of the same type.

\* \* \* \* If any person liable for any tax under subdivision \* \* \* \* 1 of this section shall ship or transport his products or any part thereof out of the state without making prior sale of such products, the value of the products or articles in the condition or form in which they existed when transported out of the state shall be the

basis for the assessment of the tax imposed in said paragraphs; and the tax commission shall prescribe equitable and uniform rules for ascertaining such value.

In determining value, however, as regards sales from one to another of affiliated companies or persons, or under other circumstances where the relation between the buyer and seller is such that the gross proceeds from the sale are not indicative of the true value of the subject matter of the sale, the tax commission shall prescribe uniform and equitable rules for determining the value upon which such privilege tax shall be levied, corresponding as nearly as possible to the gross proceeds from the sale of similar products of like quality or character by the other taxpayers where no common interest exists between the buyer and seller, but otherwise under similar circumstances and conditions.

\* \* \* \* Every person, except those taxed under subdivision \* \* \* \* 4 of this section, exercising privileges taxable under two or more classifications, shall be required to make returns on account of the functions engaged in, showing the gross proceeds therefrom, or equivalent thereof, in accordance with uniform and equitable rules for determining the value upon which such privilege tax shall be levied, corresponding as nearly as possible to the gross proceeds from the sales of similar products of like quality and character by other taxpayers, such rules shall be prescribed by the tax commission.

\* \* \* \* As to persons exercising any privilege taxable under schedules I, II and XIII of subdivision 4 the term "gross income" shall be construed to mean the gross earnings of the business from interest, discount, rentals, royalties, fees or other emoluments however designated.

\* \* \* \* Any person exercising any privilege taxable under subdivision \* \* \* \* 1 of this section selling the products mined, caught, felled, produced, manufactured, compounded, prepared, grown or raised to wholesalers, jobbers, retailers or manufacturers shall not be required to pay the tax imposed in subdivision \* \* \* \* 2 for the privilege of selling such products at wholesale; but any person exercising any privilege taxable under subdivision \* \* \* \* 1 of this section selling his natural resource products or products manufactured, compounded, prepared, grown or raised at retail in this state, also shall be required to make returns of the gross proceeds of such sales and pay the tax or excise imposed in subdivision 3 of this section for the privilege of engaging in the business of selling such natural resource products or products manufactured, compounded, prepared, grown or raised at retail in this state: *Provided, however,* That the sale of products in wholesale quantities by the producer or manufacturer thereof to another manufacturer shall not be construed as a retail sale; the intent thereof being that the producer or manufacturer shall be subject to the producer's or manufacturer's tax only.

\* \* \* \* As to any person taxable under schedules III to XII exclusive, of \* \* \* \* subdivision 4, there shall be exempted from the gross income so much thereof as is derived from sales of services or commodities for resale to another person taxable under the same schedule *and all persons taxable under schedules V, VI, VII and VIII of subdivision 4 of this section, whose charges for the sale of property or rendering of service are fixed by municipal ordinance, or are fixed or regulated by any other governmental authority, the amount of tax or excise levied under this act shall be added to the charge otherwise payable for such property or service and paid by the consumer, and shall be plainly shown as such on the bill rendered for such property or service. This provision shall apply whether such charges or services are made or rendered under the provisions of contract or otherwise.*

\* \* \* \* No person shall be required to file a return or to pay a tax under the provisions of this act unless the amount of the tax or excise, computed at the rates herein provided, for the taxable year shall be five dollars (\$5) or more. Any person required to file a return shall be liable for the full amount of the tax or excise computed under the provisions of this act.

SEC. 3. That Section 5, Chapter 191, Laws of 1933, be amended to read as follows:

Section 5. In computing the amount of any tax imposed under \* \* \* \* *the preceding section* there shall be excepted from gross proceeds or sales or gross income so much thereof as is derived from sales of tangible personal property shipped or transported to points outside the State of Washington, from sales to the United States government, or to the State of Washington, their departments or institutions, or from business which the State of Washington is prohibited from taxing under the constitution of this state or the constitution or laws of the United States, and so much thereof

as is collected by the taxpayer as an excise upon motor vehicle fuel or as a similar excise.

SEC. 4. That Chapter 191, Laws of 1933, be amended by adding thereto a new section to be known as 2-B:

Section 2-B. From and after April 1, 1935, there is hereby levied against and collected from every purchaser at retail sale, a consumer's excise tax on each retail sale of tangible personal property in the State of Washington as follows:

Two per cent of such retail sale price (all fractions to be resolved in favor of the state, i. e., all fractions less than one cent to be computed and collected as a full unit of one cent) to be collected by the vendor from the consumer at the time of the sale or transaction and by the vendor remitted to the tax commission of the State of Washington as provided by law and regulations of the tax commission: *Provided, however,* That the tax hereby levied does not apply to the following sales:

- (1) Where the total transaction is nine cents or less.
- (2) Sales of bread and/or milk.
- (3) When the consumer is the State of Washington or any of its political subdivisions or municipalities.
- (4) When the vendor is a farmer and the thing transferred is the product in its raw state, of his own farm, or of a farm which he operates, and the retail establishment is located on his farm, or when the sale is of feed, seeds, lime or fertilizer.
- (5) Sales of motor vehicle fuel and other articles upon which an excise tax is imposed by this state.
- (6) Casual and isolated sales by a vendor who is not engaged in the business of selling tangible personal property.
- (7) Sales which the State is prohibited from taxing.
- (8) Tangible personal property sold by charitable and religious organizations, the income of which is used in philanthropic activities.

For the purpose of the proper administration of this act and to prevent the evasion of the tax hereby levied, it shall be presumed that all sales made in this state are subject to the tax hereby levied until the contrary is established.

"Retail sale" or "sale at retail" as used in this section includes all sales and transactions whereby title or possession, or both, of tangible personal property, is or is to be transferred, or a license to use or consume tangible personal property is granted, for a consideration in any manner, whether absolutely or conditionally, whether for a price or rental, in money or by exchange or barter, and by any means whatsoever; except where it is the purpose of the consumer (a) to re-sell the thing transferred in the form in which the same is, or is to be, received by him; or (b) to incorporate the thing transferred as a material or a part, into tangible personal property to be produced for sale by manufacturing, assembling, processing or refining, or to use or consume the thing transferred in manufacturing, retailing, processing or refining or in the rendition of a public utility service; or (c) security for the performance of an obligation by the vendor.

The seller is personally liable to the state for the collection of such tax from the vendor and must remit monthly all taxes collected, to the state. Any seller that refunds, remits or rebates or offers, or advertises that he will refund or absorb the tax or any part thereof either directly or indirectly shall be guilty of a misdemeanor.

SEC. 5. The Tax Commission is hereby authorized to prescribe forms of report, rules and regulations not inconsistent with any of the provisions of this act for the orderly and effective administration and collection of the tax imposed and may provide for the prepayment of the tax by issuance of script or stamps and for the cancellation thereof and may allow three per cent (3%) discount on all prepayments.

SEC. 6. That Section 19 of Chapter 191, Laws of 1933 be and the same is hereby amended to read as follows:

Section 19. *The State of Washington does hereby preempt the field of taxation covered by any tax imposed hereunder and no city, town, political subdivision or other municipality within the state shall have the right to impose, levy or collect any excise tax, license fee or other tax, based upon any business or occupation, or measured by any sale, receipt or distribution of any product included hereunder.*

SEC. 7. That Section 21 of Chapter 191, Laws of 1933 be and the same is hereby amended to read as follows:

Section 21. The Tax Commission on the next business day following the receipt of any payments under this act shall transmit the same to the State Treasurer

taking his receipt therefor. The State Treasurer upon receipt thereof \* \* \* shall credit the payment to the General Fund.

SEC. 8. If any clause, sentence, paragraph, subdivision, section or part of this act shall for any reason be adjudged invalid, such judgment shall not affect, impair, or invalidate the remainder of the act, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved.

SEC. 9. This act is necessary for the immediate support of the state government and its existing public institutions and the preservation of public credit and shall take effect April 1, 1935.

Strike the title and substitute the following:

An Act relating to taxation, imposing a tax upon the privilege of engaging in business activities and upon certain sales, providing for the ascertainment, assessment, collection and distribution thereof, providing penalty for violations, amending Sections 2, 5, 19 and 21, Chapter 191, Laws of 1933, amending Chapter 191, Laws of 1933 by adding a new section thereto to be known as 2-B and declaring that this act shall take effect April 1, 1935.

Senator Duggan moved that the amendment by Senator Miller be laid on the table without taking the bill with it.

Senators Miller, Peirce, Ferryman, Malstrom, Roland, Ryan (J. H.), Dailey and Gannon demanded a roll call on the motion by Senator Duggan.

A roll call was ordered.

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

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Murfin, Norman, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—26.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—17.

Absent or not voting: Senators Kyle, Metcalf, Tewksbury—3.

Senators Drumheller, Orndorff and Ronald demanded the previous question.

The previous question was ordered.

The Secretary called the roll on the final passage of Engrossed House Bill No. 237, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Murfin, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—25.

Those voting nay were: Senators Farquharson, Ferryman, Gannon, Kerstetter, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—18.

Absent or not voting: Senators Kyle, Metcalf, Tewksbury—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 Dailey gave notice that at the proper time he would move to reconsider the vote by which Engrossed House Bill No. 237 passed the Senate.

Senator Dailey moved to reconsider the vote by which Engrossed House Bill No. 237 passed the Senate.

Senators Dailey, Miller, Ryan (J. H.), Farquharson, Ferryman, Gannon, Kerstetter and Malstrom demanded a roll call on the motion by Senator Dailey.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Dailey and the motion lost by the following vote:

Those voting aye were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Thomas—18.

Those voting nay were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Murfin, Nugent, Orndorff, Reardon, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—25.

Absent or not voting: Senators Kyle, Metcalf, Tewksbury—3.

On motion of Senator Maxwell, Engrossed House Bill No. 237 was ordered immediately transmitted to the House.

#### House Bill No. 674:

Senator Ferryman moved that the Committee on Rules and Joint Rules be discharged of further consideration of House Bill No. 674.

Senator Duggan moved that the motion by Senator Ferryman be laid on the table.

Senators Ferryman, Miller, Ryan (J. H.), Morrow, Gannon, Dailey, Ryan (Scott M.) and Farquharson demanded a roll call on the motion by Senator Duggan.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Duggan and the motion carried by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Murfin, Norman, Reardon, Ronald, Smith, Steele, Thein, Todd, Worum—23.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Malstrom, Miller, Morrow, Murphy (James A.), Nugent, Orndorff, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Thomas—18.

Absent or not voting: Senators Kyle, Metcalf, Murphy (Kebel), Nelson, Tewksbury—5.

On motion of Senator Ryan (J. H.), 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 14, 1935.

*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. 323: "An Act relating to taxation; extending the time within which rebates shall be allowed in the payment of taxes for the year 1934 due and payable in 1935; modifying the provisions of Chapter 30, Laws of 1935, relating to such rebates, and declaring that the act shall take effect immediately."

Yours very truly,

RICHARD HAMILTON,  
*Secretary to the Governor.*

On motion of Senator Orndorff, the Senate referred back to the second order of business for the purpose of receiving committee reports.

The Secretary read the report of the select committee investigating the Washington Emergency Relief Association.

Senator Ryan (J. H.) moved that the report be accepted and that the committee be authorized to turn over all their information to the joint investigating committee.

The motion by Senator Ryan (J. H.) carried.

The Secretary read:

#### REPORTS OF COMMITTEE ON ENROLLED BILLS.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 270, entitled: "An Act relating to Water Districts, providing for the establishment and maintenance of Local Improvement Guaranty Funds, to be derived from a percentage of the gross revenues of the water supply system of the District, and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 110, entitled: "An Act relating to elections and providing that blind persons or persons of defective vision may request the assistance of certain persons to mark their ballots other than is now provided by law, and providing penalties."

Enrolled Senate Bill No. 307, entitled: "An Act relating to the Department of Business Control and authorizing said department to purchase or lease certain lands."

Enrolled Senate Bill No. 299, entitled: "An act simplifying the procedure for the construction and financing of public works projects by municipalities, enabling municipalities to make and perform contracts with federal agencies relating to the construction and financing of such projects and conferring additional powers upon municipalities; and declaring an emergency."

Enrolled Substitute Senate Bill No. 39, entitled: "An Act relating to and providing for the issuance by any incorporated city or town in the State of Washington of special fund bonds for the purpose of funding or refunding outstanding warrants or bonds issued for the purpose of purchasing, acquiring or constructing certain public utilities or for making additions and betterments thereto or extensions thereof; and declaring that this act shall take effect immediately."

Enrolled Senate Bill No. 105, entitled: "An Act relating to public school playfields or athletic grounds, and authorizing boards of directors for public schools to permit the use thereof and to rent the same for athletic contests and purposes for a compensation," have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Joint Resolution No. 19: "Relating to flax industry and manufacture of linen," have compared same with the engrossed resolution and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 346, entitled: "An Act validating, ratifying, approving, confirming and declaring valid proceedings heretofore taken for the authorization and issuance of bonds by any city or town for the purpose of financing in whole or in part the construction, reconstruction, replacement, enlargement, extension, repairing or improvement of its waterworks system including all property real and personal, appurtenant thereto or connected therewith, authorizing the completion of such proceedings and the issuance of bonds pursuant thereto and declaring such bonds binding, legal, valid and enforceable obligations of such city or town, and declaring an emergency."

Enrolled Substitute Senate Bill No. 113, entitled: "An Act relating to flood control, facilitating a policy therefor, providing for the creation of flood control districts with certain powers and duties, providing for certain state supervision and control thereof, authorizing contracts between flood control districts and the United States, the state, counties, cities, towns, diking, drainage and waterway districts for flood control purposes, providing penalties for violations thereof and declaring that this act shall take effect immediately," have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 333, entitled: "An Act relating to public roads, making appropriations for salaries, wages and operations of the department of highways, for location, right of way, improvement, construction, reconstruction, maintenance, special maintenance and emergencies for primary roads; making appropriation for purposes specified in certain acts of congress and for miscellaneous purposes, prescribing the powers and duties of certain officers; making appropriations to counties and incorporated cities and towns for secondary roads and certain city streets, and for supervision; making appropriation for the state auditor; creating the highway equipment fund and making appropriation therefrom; defining terms and declaring that this act shall take effect immediately."

Enrolled Senate Bill No. 350, entitled: "An Act providing for relief from involuntary unemployment, declaring the public policy of the state; providing contributions by employers and employees for an Unemployment Compensation Fund; defining conditions of eligibility for and regulating benefits; establishing a procedure for the settlement of benefit claims and providing for court review thereof; creating an Unemployment Compensation Commission and defining the powers and duties thereof; accepting the provisions of the Wagner-Peyser Act of the United States Government; permitting reciprocal benefit arrangements with the states; providing penalties for the violation of the provisions of this act; making appropriations for the payment of the expenses in the administration thereof, and for the payment of claims out of the special funds established herein and for purposes specified or to be specified in certain

Acts of Congress; this act shall become effective in the State of Washington from and after the enactment date of the Wagner-Doughton Bill which is now before the Congress of the United States," have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 85, entitled: "An Act relating to drugs and medicine; regulating the sale and dispensing thereof; requiring licenses and registrations for the privilege of selling dispensing and compounding the same, and fixing fees therefor; creating a state board of pharmacy, and prescribing their powers and duties with respect thereto; prescribing penalties; amending Sections 10, 11, 13, 16 and 17-c of Chapter CXXI (121), Laws of 1899; repealing all acts and parts of acts in conflict therewith; and making an appropriation."

Enrolled Substitute Senate Bill No. 257, entitled: "An Act to encourage state and national industrial recovery by cooperating with the national government in fostering fair competition, to establish standards of fair competition in trade and industry, providing penalties for violations of this act, declaring an emergency and repealing Chapter 50, Laws of Extraordinary Session, 1933."

Enrolled Substitute Senate Bill No. 70, 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 Sections 2 and 6, Chapter 69, Laws of 1923; amending said act by adding thereto a new section to be designated 14-a, and repealing Section 2½, Chapter 69, Laws of 1923; and providing that this act shall take effect immediately."

Enrolled Senate Bill No. 112, entitled: "An Act relating to irrigation district deeds on foreclosure of assessments, preserving the lien of general taxes and amending Section 30, page 687 of the Session Laws of 1889-90, as amended by Section 17 of Chapter 165 of the Session Laws of 1895 (Section 7448, Remington's Revised Statutes)," have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Substitute Senate Bill No. 226, entitled: "An Act authorizing counties to convey to the United States government real and personal property for defense purposes; granting the consent of the state of such conveyance and ceding exclusive legislative jurisdiction to the United States over the land so conveyed, and providing that this act shall take effect immediately."

Enrolled Senate Bill No. 242, entitled: "An Act pensioning blind persons; providing funds for such purpose and providing penalties; and amending Section 2, 3, 4, 7, 8, and 9 of Chapter 102 of Session Laws of 1933, and declaring an emergency."

Enrolled Senate Bill No. 362, entitled: "An Act relating to flood control and providing for the improvement of rivers by counties and amending Section 9626 of Remington's Revised Statutes."

Enrolled Substitute Senate Bill No. 364, entitled: "An Act relating to flood control, providing a state policy of participation therein with the United States and with flood control districts, counties, and counties acting jointly in the control of rivers subject to flood conditions, through the agency of the state department of conservation and development, granting certain powers in relation thereto to such flood control districts, counties, and counties so acting jointly, creating a debt, authorizing the

issuance and sale of state bonds for payment of the principal and interest of said bonds for such object, creating a sinking fund, to be known as "General Obligation Bonds of 1936 Retirement Fund," making an appropriation therefor, and submitting this act to the people for their approval or rejection at the general election in November, 1936," have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER.

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred: Enrolled Senate Bill No. 223, entitled: "An Act authorizing and directing a conveyance by quit claim deed in behalf of the State of Washington to the Tacoma Area Council, Boy Scouts of America, of certain real estate."

Enrolled Senate Bill No. 38, entitled: "An Act to regulate the payment of wages or compensation for labor of service in private employments, providing penalties for violations of its provisions, authorizing the director of labor and industries to enforce this act, defining the duties of prosecuting attorneys relative to its enforcement, and providing for the collection of certain penalties by civil action at the direction of such director."

Enrolled Senate Bill No. 363, entitled: "An Act relating to flood control, providing for a state policy therefor in cooperation with the United States and flood control districts in this state, granting certain powers to counties, cities, towns, diking, drainage and waterway districts in relation thereto, making an appropriation therefor and declaring that this act shall take effect immediately."

Enrolled Senate Bill No. 19, entitled: "An Act relating to the creation of a fund in Class A counties and counties of the first class for the payment of the salaries and wages of county officers and employees, and providing for the payment and transfer of money to and from said fund, and amending Section 1 of Chapter 14 of the Session Laws of the Extraordinary Session of 1933, and declaring an emergency," have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER.

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 160, entitled: "An Act authorizing issuance and sale of bonds for diking and drainage districts to fund and redeem outstanding warrants of such district; providing for the call of such warrants and cessation of interest thereon; for registration of such bonds; exchange thereof for warrants; the levy of assessments for the payment of principal and interest thereon; determining how the same is chargeable; providing for the collection thereof; the fund into which the same shall be put; the call, payment, and redemption of such bonds."

Enrolled Senate Bill No. 319, entitled: "An Act relating to the payment of retained pay for enlisted men of the National Guard and making an appropriation therefor," have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 324, entitled: "An Act requiring precinct election officers to prepare copies of the result of votes cast at their precincts for transmittal to the County Election Board, and for posting at the polling places; and prescribing a penalty for mutilation of or interference with such copies."

Enrolled Senate Bill No. 34, entitled: "An Act relating to dogs, providing for the assessment and collection of annual taxes thereon, and amending Section 1 of Chapter 198, Session Laws of 1929."

Enrolled Senate Bill No. 348, entitled: "An Act relating to an excise tax on gasoline and other inflammable liquids, and amending Section 1, Chapter 58 of the Laws of 1933, the same being Section 8327-1 of Remington's Revised Statutes, and amending Section 18, Chapter 58 of the Laws of 1933, the same being Section 8327-18, Remington's Revised Statutes."

Enrolled Senate Bill No. 267, entitled: "An Act relating to the organization and administration of the state government and mines and mining, providing for the appointment of certain officers and defining their powers and duties."

Enrolled Senate Bill No. 274, entitled: "An Act relating to taxing districts, as defined in Chapter IX of the act of Congress, entitled: 'An Act to establish a uniform system of bankruptcy throughout the United States,' approved July 1, 1898, as amended, and to assessments or taxes levied or to be levied upon lands therein, enabling such districts to obtain the relief provided in said Chapter IX, validating petitions and proceedings under or in contemplation of proceedings under said Chapter IX, and declaring an emergency," have compared same with the engrossed bills and find them correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 118, entitled: "An Act relating to agricultural and vegetable seeds and amending Sections 9, 10 and 16 of Chapter 183 of the Laws of 1919 as amended, and Section 8 of Chapter 153 of the Laws of 1921, and repealing Chapter 166 of the Laws of 1929, and making an appropriation for administrative expenses," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 158, entitled: "An Act authorizing property to be withdrawn from a diking and/or drainage district when such property ceases to be benefited by the improvements of such district, and providing procedure therefor," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Joint Resolution No. 20: "Providing for the amendment of Section 23 of Article 2 of the Constitution of the State of Washington by providing compensation for the members of the legislature," have compared same with the engrossed resolution and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 147, entitled: "An Act relating to short firearms and other weapons; defining terms; regulating the sale, possession and use thereof; providing for certain licenses and fixing fees; defining certain crimes and prescribing penalties," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Substitute Senate Bill No. 90, entitled: "An Act relating to floods, the alleviation of damage therefrom, and the regulatory control thereof, placing the administration of this act under the state supervisor of hydraulics, prescribing his authority and duties thereunder, making an appropriation therefor, and declaring that this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman*.

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the Committee was received.

On motion of Senator Peirce, 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 14, 1935.

MR. PRESIDENT:

The House has concurred in the Senate amendments to Engrossed House Bill No. 529 and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to Engrossed House Bill No. 295 and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendments to Engrossed House Bill No. 148 and passed the bill as amended by the Senate; also

The House has concurred in the Senate amendment to House Bill No. 233, and passed the bill as amended by the Senate; also

The Speaker has signed:

House Bill No. 139; also

House Bill No. 223; also  
 House Bill No. 257; also  
 House Bill No. 511; also  
 House Bill No. 622; also  
 House Concurrent Resolution No. 10; also  
 House Joint Memorial No. 32; also  
 House Bill No. 104; also  
 House Bill No. 198; also  
 House Bill No. 238; also  
 House Bill No. 259; also  
 House Bill No. 507; also  
 House Bill No. 656; also  
 House Bill No. 271; also  
 House Bill No. 286; also  
 House Bill No. 290; also  
 House Bill No. 376; also  
 House Bill No. 378; also  
 House Bill No. 425; also  
 House Bill No. 433; also  
 House Bill No. 497; also  
 House Bill No. 498; also  
 House Bill No. 590; also  
 House Bill No. 605; also  
 House Bill No. 641; also  
 House Bill No. 689; also  
 House Bill No. 513; also  
 House Bill No. 477; also  
 House Bill No. 585; also  
 House Bill No. 277; also  
 Senate Bill No. 250; also  
 Senate Bill No. 252; also  
 Senate Bill No. 253; also  
 Senate Bill No. 254; also  
 Senate Bill No. 353; also  
 Substitute Senate Bill No. 86; also  
 House Bill No. 176; also  
 House Bill No. 370; also  
 House Bill No. 372; also  
 House Bill No. 417; also  
 House Bill No. 582; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has receded from its amendments to Engrossed Substitute Senate Bill No. 87 and passed the bill without the House amendments, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Senate Bill No. 287, and asks that a Conference Committee be appointed thereon.

S. R. HOLCOMB, *Chief Clerk.*

Senator Steele moved that the request of the House be granted and that a Conference Committee be appointed on Engrossed Senate Bill No. 287. The motion by Senator Steele carried.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House refuses to recede from its amendment to Senate Joint Resolution No. 7, and requests that a Conference Committee be appointed thereon.

S. R. HOLCOMB, *Chief Clerk.*

Senator Reardon moved that the request of the House be granted and that a Conference Committee be appointed on Senate Joint Resolution No. 7. The motion by Senator Reardon carried.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to House Bill No. 552 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Peirce, the Senate refused to recede from its amendments to House Bill No. 552 and asked the House for a Conference Committee thereon.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 217, with the following amendments:

Amend the bill by striking all the matter following the enacting clause and inserting in lieu thereof the following:

SECTION 1. For the purpose of this act "dependent children" shall mean children under the age of sixteen in their own homes, in which there is no adult person, other than one needed to care for the child or children, who is able to work and provide the family with a reasonable subsistence compatible with decency and health.

SEC. 2. There is hereby adopted a statewide plan for aid to dependent children. Such plan shall be administered by the department of public welfare, through and by means of the division of child welfare, subject to the supervision and control of the Governor.

SEC. 3. Such aid shall be granted by the director of welfare in such amount as will, when added to the income of the family, provide it with a reasonable subsistence compatible with decency and health. All disbursements under the provisions of this act for dependent children shall be payable from the state emergency relief fund. The Governor shall from time to time allocate from the state emergency relief fund moneys in such amount as he shall determine to be reasonably necessary to effectuate and carry out the purposes of this act. The amount of aid to be granted in each case shall be determined by the director of public welfare upon the basis of need and in view of the peculiar facts and circumstances of each case.

SEC. 4. Whenever the department of public welfare receives an application for aid under this act an investigation and record shall promptly be made of the circumstances of the applicant and his family. The object of such investigation shall be to ascertain all relevant facts bearing upon the condition and circumstances of the applicant and his family in order that the department may determine whether aid should be granted. The department shall have power to issue subpoenas for witnesses, compel their attendance and examine them under oath.

SEC. 5. The director of public welfare shall make full and complete reports to the Federal Emergency Relief Administration in accordance with the rules and regulations prescribed by the administrator or by the proper agency having authority in the premises.

SEC. 6. To be eligible for aid granted under this act a family with dependent children shall establish to the satisfaction of the director of public welfare that the head of such family has been a resident of the state for a period of one year immediately preceding the date of the application.

SEC. 7. The department of public welfare is hereby designated as the responsible agency for the administration of the aid provided by this act, and it is authorized and directed to formulate in detail and administer the plan established by this act in such manner that allotments or grants from the Federal government may be made available for the support of dependent children. The details of such plan shall be formulated in such manner as to meet with the approval of the Federal agency created or designated to administer Federal aid to states providing for aid to dependent children.

SEC. 8. The director of public welfare shall be empowered to promulgate such rules and regulations as shall be necessary to effectuate and carry out the purposes of this act.

SEC. 9. The director of public welfare shall at least within ninety days after the close thereof make a report to the Governor for each calendar year stating the total number of dependent children aided during the year, the total number of families aided during the year, the total amount paid in cash, the total number of applications, the number granted, the number denied and such other information as may be deemed pertinent.

SEC. 10. All aid granted under this act shall be inalienable by any assignment or transfer and shall be exempt from levy or execution under the laws of this state.

SEC. 11. Whenever the masculine pronoun is used in this act, it shall, in proper cases, include the feminine.

SEC. 12. The provisions of this act shall not repeal or supersede any existing law providing for public aid to mothers or dependent children, but the aid herein provided for shall be in addition to such other aid, but such other aid shall be taken into consideration by the department in determining the amount of aid to which any family shall be entitled under this act.

SEC. 13. The state hereby accepts the provisions of that certain act now pending before the Congress of the United States entitled: "A bill to alleviate the hazards of old age, unemployment, illness, and dependency, to establish a social insurance board in the department of labor, and for other purposes." Formal acceptance of the provisions of such act, relating to allotments to the states for aid to dependent children, if the act is enacted substantially in its proposed form, shall be signified by the Governor, in the event that the legislature shall not be in session when the said bill is finally enacted by the Congress.

SEC. 14. If any section, clause or part of this act shall for any reason be declared invalid or unconstitutional, such adjudication shall not be construed to affect the remaining portions of the act.

SEC. 15. This act shall take effect July 1, 1935, but only if on said date the bill of Congress herein referred to, providing for Federal participation in grants of aid to dependent children, has been enacted into law. If said bill is finally enacted subsequent to July 1, 1935, this act shall take effect upon the happening of such event, and the Governor, by proclamation issued at once thereafter, shall officially declare this act to be in full force and effect.

Amend the bill by striking the title and insert in lieu thereof the following:

"An Act relating to and providing for aid to dependent children; prescribing the powers and duties of certain state officers in connection therewith, and providing when the act shall take effect," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Drumheller moved that the Senate concur in the House amendments to Engrossed Senate Bill No. 217.

The motion by Senator Drumheller carried.

The Secretary called the roll on the final passage of Engrossed Senate

Bill No. 217, as amended by the House, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Lovejoy, Malstrom, Maxwell, McAulay, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Steele, Stinson, Thein, Thomas, Todd, Worum—40.

Absent or not voting: Senators Kyle, McMillan, Metcalf, Murphy (Kebel), Ryan (J. H.), Tewksbury—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 14, 1935.

MR. PRESIDENT:

The House has passed Engrossed Senate Bill No. 206, with the following amendments:

In Section 1, line 10 of the original bill, being line 3 of the printed bill, after the word "elections" and before the word "and" insert the following: "*except school district elections and city and town elections.*"

In Section 1, line 26 of the original bill, being line 14 of the printed bill, strike the period (.) and insert in lieu thereof a comma (,) and add the following:

"*Provided, further:* That no elected precinct committeeman shall be appointed as a paid election official at a precinct polling place," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Murphy (James A.) moved that the Senate do not concur in the House amendments to Engrossed Senate Bill No. 206 and ask the House to recede therefrom.

The motion by Senator Murphy (James A.) carried.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has passed Senate Bill No. 159, with the following amendment:

In Section 5, line 2 of the original bill, being line 44, page 2 of the printed bill, after the period (.) following the word "paid" add the following:

"The prosecuting attorney of the county having jurisdiction shall act as such attorney for port districts, diking and drainage districts or any other municipal improvement district therein," and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

Senator Knutzen moved that the Senate do not concur in the House amendments to Senate Bill No. 159 and ask the House to recede therefrom.

The motion by Senator Knutzen carried.

The President signed Senate Bills Nos. 362, 242, 364, 270, 105, 299, 307, 110, 19, 34, 38, 118, 147, 158, 160, 223, 267, 274, 324, 348, 363, 346, 350, 333, 85, 112, 319; Senate Joint Resolution No. 19 and Senate

Joint Resolution No. 20; Substitute Senate Bills Nos. 39, 90, 113, 226, 257 and 70.

Senator Thomas offered the following protest:

TO THE WASHINGTON STATE SENATE:

I hereby protest that this Twenty-fourth Session of the Washington State Legislature is now illegally in session.

Here is my proof and these are my charges.

That at 11:48 a. m. the 14th day of March, 1935, the clocks were stopped, and we continued in session until this time the fifteenth of March 1935.

On the 15th of March, 1935, at about 12:25 p. m., (correct time), the clocks in the Senate Chamber started again, and were stopped at 12:01 p. m. and the lights all over the Capitol Building were extinguished.

Then, after an hour's lapse of time, two employees were sent with a long stick, moved the hands back to 11:48 a. m.

Then this same crew came back again in about twenty minutes and moved the hands further back to 11:30 a. m.

Further—most of the Senate employees have been discharged, and final pay check was delivered to each legislator.

Therefore, on this 15th day of March, 1935 at 5 p. m., I register my protest that this Twenty-fourth Session of the Legislature in the State of Washington, from this time on is illegal and unconstitutional.

Signed: SENATOR PAUL G. THOMAS,

(PAUL G. THOMAS)

Senator from the 34th Legislative District of the State of Washington.

The President signed House Bills Nos. 176, 370, 372, 417, 582, 139, 223, 257, 511, 622, 656, 271, 507, 259, 238, 198, 104, 286, 290, 376, 378, 425, 433, 497, 498, 590, 605, 641, 689, 513, 477, 585 and 277; also House Concurrent Resolution No. 10; also House Joint Memorial No. 32.

On motion of Senator Peirce, the Senate referred back to the fourth 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 14, 1935.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed House Bill No. 237 and asks the Senate to recede therefrom, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Todd, the Senate refused to recede from its amendments to Engrossed House Bill No. 237 and asked the House for a conference committee thereon.

**GENERAL FILE.**

**Engrossed Substitute House Bill No. 420:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations, to whom was referred Engrossed Substitute House Bill No. 420, entitled: "An Act making appropriations for the payment of salaries of certain officers and employees of the state and for the operation, main-

tenance 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 certain emergencies, and for sundry civil expenses of the state government, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal biennium beginning April 1, 1935, and ending March 31, 1937, 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 Section 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 not exceed two dollars (\$2.00) per diem for lodging, and one dollar fifty cents (\$1.50) for three meals: *And provided further*, That the sole compensation for personal automobiles used in connection with state business shall not exceed five cents (5c) 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 .....	10,000.00	
Total .....		\$71,000.00

##### FOR THE GOVERNOR'S MANSION:

Maintenance and Furnishings of every kind, to be distributed on vouchers approved by the Governor..	-	\$12,000.00
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For the payment of warrants drawn for Emergency purposes approved during the biennium April 1, 1935, to March 31, 1937, 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 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.....	\$62,960.00	
Operations .....	22,950.00	
Printing, advertising and mailing initiative and referendum measures and constitutional amendments..	35,000.00	
Total .....		\$120,910.00

## FOR THE STATE TREASURER:

Salaries and wages.....	\$50,800.00	
Operations .....	15,714.00	
For audit by Department of Finance, Business and Budget .....	5,000.00	
Total .....		\$71,514.00

## FROM THE FISHERIES FUND.

Salaries and wages.....	\$14,200.00	
Operations .....	4,150.00	
Total .....		\$18,350.00

## FROM THE MOTOR VEHICLE FUND.

Salaries and wages.....	\$20,600.00	
Operations .....	3,200.00	
Total .....		\$23,800.00

## FROM THE GENERAL FUND.

## FOR THE STATE AUDITOR:

Salaries and wages.....	\$41,000.00	
Operations .....	9,600.00	
Special printing .....	1,500.00	
Total .....		\$52,100.00

## FROM THE MOTOR VEHICLE FUND.

Salaries and wages.....		\$20,000.00
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## FROM THE GENERAL FUND.

## DIVISION OF MUNICIPAL CORPORATIONS:

Salaries and wages.....	\$18,328.00	
Operations .....	4,088.00	
Total .....		\$22,416.00

## FOR THE ATTORNEY GENERAL:

Salaries and wages.....	\$77,750.00	
Operations .....	19,000.00	
Court costs .....	20,000.00	
Indexing Session Laws.....	450.00	
Total .....		\$117,200.00

## FROM THE CURRENT SCHOOL FUND.

## FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION:

Salaries and wages.....	\$66,000.00	
Operations .....	21,830.00	
To publish the Washington State Manual and other publications required by law.....	8,000.00	
Total .....		\$95,830.00

## FROM THE GENERAL FUND.

## STATE LIBRARY:

Salaries and wages.....	\$13,760.00	
Operations .....	4,050.00	
Total .....		\$17,810.00

## FOR THE COMMISSIONER OF PUBLIC LANDS:

Salaries and wages.....	\$130,000.00	
Operations .....	43,600.00	
Total .....		\$173,600.00

## FOR THE INSURANCE COMMISSIONER:

Salaries and wages.....	\$120,000.00	
Operations .....	40,800.00	
Total .....		\$160,800.00

## FOR THE SUPREME COURT:

Salaries and wages.....	\$166,420.00	
Operations .....	7,135.00	
Total .....		\$173,555.00

## FOR THE SUPREME COURT REPORTER:

Salaries and wages.....	\$14,500.00	
Operations .....	5,900.00	
Total .....		\$20,400.00

## FOR SUPERIOR COURT JUDGES:

Salaries and wages.....	\$263,000.00	
Operations .....	5,700.00	
Total .....		\$268,700.00

## FOR LEGISLATIVE EXPENSES:

Printing, indexing, binding and editing Session Laws, Senate and House Journals, other legislative print- ing and binding public documents of the Twenty- fourth Session .....	\$15,000.00	
Indexing Senate and House Journals.....	500.00	
Total .....		\$15,500.00

## FROM THE STATE ATHLETIC FUND.

## FOR THE STATE ATHLETIC COMMISSION:

Salaries and wages.....	\$5,000.00	
Operations .....	3,835.00	
Total .....		\$8,835.00

## FROM THE GENERAL FUND.

## FOR THE STATE CAPITOL COMMITTEE:

Salaries and wages.....	\$7,500.00	
Operations .....	2,522.00	
For portrait of the Honorable Roland H. Hartley, as provided by Chapter 217, Laws of 1929.....	650.00	
Total .....		\$10,672.00

## FROM THE RECLAMATION REVOLVING FUND.

## FOR THE COLUMBIA BASIN COMMISSION:

Salaries and wages.....	\$15,000.00	
Operations .....	3,280.00	
Total .....		\$18,280.00

## FROM THE CURRENT SCHOOL FUND.

## FOR THE STATE BOARD OF EDUCATION:

Salaries and wages.....	\$9,000.00	
Operations .....	1,900.00	
Total .....		\$10,900.00

## FOR THE STATE BOARD OF VOCATIONAL EDUCATION:

Salaries and wages.....	\$16,075.00	
Operations .....	5,500.00	
To secure Federal Vocational Rehabilitation Fund....	25,719.04	
Total .....		\$47,294.04

## 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, providing for the promotion and development of Vocational Education.....	\$253,122.22	
To be expended in accordance with the provisions of Act of Congress approved June 2, 1920, and subsequent amendments, providing for civilian vocational rehabilitation .....	25,819.04	
Total .....		\$278,941.26

## FROM THE TEACHERS' RETIREMENT FUND.

## FOR THE STATE TEACHERS' RETIREMENT FUND:

Salaries and wages.....	\$12,000.00	
Operations .....	2,040.00	
For the payment of annuities, awards and refunds as provided by Law (including deficiencies).....	417,000.00	
Total .....		\$431,040.00

## FROM THE GENERAL FUND.

## FOR THE STATE BOARD OF EQUALIZATION:

Operations .....		\$1,200.00
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## FOR THE STATE FINANCE COMMITTEE:

Salaries and wages.....	\$1,200.00	
Operations .....	550.00	
Total .....		\$1,750.00

## FOR THE STATE LAW LIBRARY:

Salaries and wages.....	\$14,000.00	
Operations .....	9,955.00	
Total .....		\$23,955.00

## FROM THE PARKS AND PARKWAY FUND.

## FOR THE STATE PARKS COMMITTEE:

Salaries, wages and operations.....		\$30,000.00
(Expenditures not to exceed receipts actually on hand and available for expenditure)		

## FROM THE MILLERSYLVANIA PARK CURRENT FUND.

For improvement, maintenance and upkeep of Millersylvania Park .....		\$400.00
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## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF AGRICULTURE:

Salaries and wages.....	\$124,600.00	
Operations .....	92,350.00	
For eradication of bovine tuberculosis.....	25,000.00	

## Grain Warehouse Inspection:

Salaries and wages.....	6,000.00	
Operations .....	10,850.00	

## Washington State Fair:

Salaries and wages.....	3,000.00	
Operations .....	2,000.00	
Total .....		\$263,800.00

## FROM THE GRAIN AND HAY INSPECTION FUND.

Salaries and wages.....	\$200,000.00	
Operations .....	20,000.00	
(Expenditures not to exceed fees heretofore or hereafter collected)		
Total .....		\$220,000.00

## FROM THE COMMISSION MERCHANTS' FUND.

Salaries and wages.....	\$8,000.00	
Operations .....	8,800.00	
(Expenditures not to exceed fees heretofore or hereafter collected)		
Total .....		\$16,800.00

## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF CONSERVATION AND DEVELOPMENT:

Salaries and wages.....	\$30,000.00	
Operations .....	4,740.00	
Forestry Division:		
Salaries and wages.....	104,000.00	
Operations .....	30,000.00	
Emergency fire fighting.....	16,000.00	
<i>(Provided, That the Supervisor of Forestry may purchase gasoline, oil and tires, and pay for repairs in lieu of mileage allowance for use of personally owned cars for Fire Wardens, such expenditures not to exceed five cents per mile traveled.)</i>		
Total .....		\$184,740.00

## FROM THE RECLAMATION REVOLVING FUND.

## RECLAMATION AND HYDRAULIC DIVISIONS:

Salaries and wages.....	\$36,020.00	
Operations .....	11,820.00	
Geographical survey .....	10,000.00	
Hydrographical survey .....	20,000.00	
Topographical survey .....	25,000.00	
(Appropriations for Geological, Hydrographical and Topographical surveys contingent on allotment of equal amounts for said purposes by the Federal Government.)		
To finance, refinance and purchase bonds of irrigation, reclamation, diking and drainage districts (To be expended in accordance with the provisions of Chapter 16, Laws of 1933, Regular Session).....	1,250,000.00	
(Expenditures from Reclamation Revolving Fund not to exceed cash on hand and available for expenditure.)		
Total .....		\$1,352,840.00

## FROM THE FISHERIES FUND.

## FOR THE DEPARTMENT OF FISHERIES:

Salaries and wages.....	\$200,000.00	
Operations .....	98,296.00	
Total .....		\$298,296.00

## FROM THE LEWIS RIVER HATCHERY FUND.

## LEWIS RIVER HATCHERY:

Salaries and wages.....	\$17,744.00	
Operations .....	8,936.00	
Total .....		\$26,680.00

## FROM THE OYSTER RESERVE FUND.

## IMPROVEMENT AND PROTECTION OF OYSTER RESERVES:

Salaries, wages and operations.....		\$7,700.00
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## FROM THE GAME FUND.

## FOR THE DEPARTMENT OF GAME:

Salaries, transportation and subsistence of State Game Commissioners .....	\$5,000.00	
Salaries and wages.....	425,000.00	
Operations .....	509,940.00	
(Expenditures from the Game Fund not to exceed receipts on hand and available for expenditure)		
Total .....		\$939,940.00

## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF HEALTH:

Salaries and wages.....	\$60,000.00	
Operations .....	30,000.00	
Total .....		\$90,000.00

## FROM THE FISHERIES FUND.

For industrial pollution studies.....	\$8,500.00	
For oyster sanitation studies .....	5,500.00	
Total .....		\$14,000.00

## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF LABOR AND INDUSTRIES:

Salaries and wages.....	\$262,800.00	
Operations .....	98,650.00	
Total .....		\$361,450.00

## FROM THE MEDICAL AID FUND.

Salaries and wages.....	\$250,000.00	
Operations .....	75,000.00	
Claims and awards and other expenses provided by law .....	2,000,000.00	
Total .....		\$2,325,000.00

## FROM THE ACCIDENT FUND.

Claims and awards and other expenses provided by law .....		\$3,000,000.00
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## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF LICENSES:

Salaries and wages.....	\$59,000.00	
Operations .....	40,000.00	
Total .....		\$99,000.00

## FROM THE MOTOR VEHICLE FUND.

Salaries and wages.....	\$193,350.00	
Operations .....	220,250.00	
Liquid fuel tax refunds.....	3,000,000.00	
Total.....		\$3,413,600.00

## FROM THE PUBLIC SERVICE REVOLVING FUND.

## FOR THE DEPARTMENT OF PUBLIC SERVICE:

Salaries and wages.....	\$148,200.00	
Operations .....	30,650.00	
Regulation of Motor Vehicles:		
Salaries and wages.....	110,000.00	
Operations .....	65,160.00	
Special investigations and valuations.....	250,000.00	
(Expenditures not to exceed fees heretofore or hereafter collected, but in no event shall any warrant be drawn on the Public Service Revolving Fund in excess of actual cash on deposit in the State Treasury)		
Total.....		\$604,010.00

## FROM THE GENERAL FUND.

## FOR THE TAX COMMISSION OF THE STATE OF WASHINGTON:

Salaries and wages.....	\$66,000.00	
Operations .....	9,950.00	
Special Investigation and Valuations:		
Salaries, wages and operations.....	50,000.00	
Inheritance Tax and Escheat Division:		
Salaries and wages.....	42,000.00	
Operations .....	6,350.00	
Total.....		\$174,300.00

## FROM THE CURRENT SCHOOL FUND.

For the payment of judgments as provided by Section 28, Chapter 191, Laws of 1933, Regular Session, as amended by Chapter 10, Laws of 1933, Extraordinary Session, and acts amendatory thereto.....		\$2,000,000.00
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## FROM THE GENERAL FUND.

## FOR THE WASHINGTON STATE PATROL:

Salaries and wages.....	\$288,060.00	
Operations .....	363,479.80	
Total.....		\$651,539.80

## FOR THE DEPARTMENT OF FINANCE, BUDGET AND BUSINESS:

General Office, including division of Public Institutions and division of Purchasing:		
Salaries and wages.....	\$87,240.00	
Operations .....	18,470.00	
Division of Budget:		
Salaries and wages.....	57,600.00	
Operations .....	15,000.00	
Division of Banking:		
Salaries and wages.....	76,000.00	
Operations .....	24,250.00	
Division of Savings and Loan:		
Salaries and wages.....	43,000.00	
Operations .....	19,700.00	

Capitol Buildings and Grounds:		
Salaries and wages.....	158,830.00	
Operations .....	83,790.00	
Parole, Transportation and Deportation Departments:		
Salaries and wages.....	53,340.00	
Operations .....	66,155.00	
For carrying out the provisions of House Bill No. 285:		
Salaries and wages.....	28,000.00	
Operations .....	25,000.00	
Archives:		
Salaries and wages.....	2,560.00	
Operations .....	2,300.00	
Total .....		\$761,235.00
State School for the Blind:		
Salaries and wages.....	\$60,979.00	
Operations .....	43,715.00	
Total .....		\$104,694.00
State Custodial School:		
Salaries, wages and operations.....		\$455,894.00
State School for the Deaf:		
Salaries and wages.....	69,240.00	
Operations .....	57,220.00	
Total .....		\$126,460.00
Eastern State Hospital:		
Salaries, wages and operations.....	\$685,306.88	
Land purchase .....	8,500.00	
Total .....		\$693,806.88
State School for Girls:		
Salaries and wages.....	\$40,920.00	
Operations .....	38,015.00	
Total .....		\$78,935.00
Northern State Hospital:		
Salaries, wages and operations.....		\$652,240.00
Washington State Penitentiary:		

## FROM THE PENITENTIARY REVOLVING FUND.

Salaries, wages and operations.....		\$586,600.00
Industrial Operations:		
Salaries and wages.....	\$44,844.00	
Operations .....	226,385.00	
New Industries .....	50,000.00	
Total .....		\$321,229.00

## FROM THE GENERAL FUND.

Washington State Reformatory:		
Salaries and wages.....	\$76,560.00	
Operations .....	186,260.00	
Total .....		\$262,820.00

## FROM THE REFORMATORY REVOLVING FUND.

Industrial Operations:		
Salaries and wages.....	\$28,210.00	
Operations .....	29,208.00	
New Industries .....	25,000.00	
Total .....		\$82,418.00

## FROM THE GENERAL FUND.

State Soldiers' Home and Colony:		
Salaries, wages and operations.....		\$189,715.00
State Training School:		
Salaries and wages.....	\$70,580.00	
Operations .....	98,295.00	
Total .....		\$168,875.00
Washington Veterans' Home:		
Salaries, wages and operations.....		\$286,204.00
Western State Hospital:		
Salaries, wages and operations.....		\$870,948.24

## FOR THE DEPARTMENT OF PUBLIC WELFARE:

Division of Child Welfare:		
Salaries and wages.....	\$9,120.00	
Operations .....	925.00	
Total .....		\$10,045.00

## FROM THE UNIVERSITY OF WASHINGTON FUND.

## FOR THE UNIVERSITY OF WASHINGTON:

Salary of the President .....	\$20,000.00	
Salaries and wages .....	2,521,923.15	
Operations .....	425,582.80	
Total .....		\$2,967,505.95

## FROM THE WASHINGTON STATE COLLEGE FUND.

## FOR THE STATE COLLEGE OF WASHINGTON:

Salary of the President .....	\$18,000.00	
Salaries and wages .....	1,333,797.58	
Operations .....	225,740.42	
Total .....		\$1,577,538.00

## FROM THE COLLEGE FUND.

Salaries, wages and operations.....		\$100,000.00
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## FOR THE STATE COLLEGE OF WASHINGTON:

From the Morrill Fund .....	\$101,200.00	
From the Federal Experiment Station Fund .....	189,510.00	
From the Federal Cooperative Agricultural Extension Fund .....	253,770.00	
To be expended in accordance with the purposes, terms, provisions and conditions of the respective Acts of Congress for the endowment and granting of money to Agricultural Colleges and Experiment Stations .....		\$544,480.00

## FOR THE BELLINGHAM STATE NORMAL SCHOOL:

From the Normal School Current Fund. ....	\$29,500.00	
From the Bellingham Normal School Fund. ....	409,400.00	
Salaries and wages .....	\$385,500.00	
Operations .....	53,400.00	
Total .....		\$438,900.00

## FOR THE CHENEY STATE NORMAL SCHOOL:

From the Normal School Current Fund....	\$29,500.00	
From the Cheney Normal School Fund .....	352,639.00	
Salaries and wages .....	\$327,471.00	
Operations .....	54,668.00	
Total .....		\$382,139.00

## FROM THE GENERAL FUND.

To reimburse the Normal School Dormitory Funds for the purchase of land .....		\$14,321.68
FOR THE ELLENSBURG STATE NORMAL SCHOOL:		
From the Normal School Current Fund ...	\$29,500.00	
From the Ellensburg Normal School Fund ..	293,750.00	
Salaries and wages .....	\$282,500.00	
Operations .....	40,750.00	
Total .....		\$323,250.00

## FROM THE GENERAL FUND.

FOR THE MILITARY DEPARTMENT:		
Salaries and wages .....	\$158,400.00	
Operations .....	100,035.00	
Retained pay .....	29,000.00	
Total .....		\$287,435.00

## FOR THE WASHINGTON STATE HISTORICAL SOCIETY:

Salaries and wages.....	\$9,600.00	
Operations .....	1,795.00	
Total .....		\$11,395.00

## FROM THE CAPITOL BUILDING CONSTRUCTION FUND.

For bond retirement and interest (including deficiencies) ..	\$633,625.00
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## FROM THE GENERAL FUND.

For the care of graves, Spanish War Veterans .....	\$200.00
For court costs in insanity cases .....	\$5,000.00
For criminal cost bills (including deficiencies).....	\$45,000.00

## FROM THE CURRENT SCHOOL FUND.

To carry out provisions of Section 4935, Rem. Comp. Stat. and Chapter 28 of the Session Laws of 1933, Regular Session, and acts amendatory thereto.....	\$30,560,475.00
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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 .....	\$200,000.00
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## FROM THE GENERAL OBLIGATION BONDS OF 1933 RETIREMENT FUND.

For bond retirement and interest .....	\$1,583,490.00	
To carry out the provisions of Senate Bill No. 152.....	500,000.00	
Total .....		\$2,083,490.00

## FROM THE HARBOR IMPROVEMENT FUND.

For distribution in accordance with Chapters 168, 169 and 170, Laws of 1913, based on receipts.....	\$135,000.00
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## FROM THE OLD AGE PENSION FUND.

For distribution to counties in accordance with Chapters 29 and 55, Laws of 1933, Regular Session.....	\$250,000.00
Disbursements not to exceed receipts.	

## FROM THE GENERAL FUND.

For Presidential Electors .....	\$300.00
For Tuberculosis Hospitals (including deficiencies) .....	\$400,000.00

## FROM THE VETERANS' COMPENSATION BOND RETIREMENT FUND.

For bond retirement and interest .....	\$1,040,000.00
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## FROM THE MOTOR VEHICLE FUND.

To create the Highway Equipment Fund .....	\$250,000.00
For Capital Outlays and Major Repairs:	

To be expended independently of, or in conjunction with funds allotted by the Federal, County or Municipal Governments or Agencies or in conjunction with funds allotted for unemployment relief: *Provided*, That the following appropriations shall become available only upon written approval of the Governor.

## FROM THE CAPITOL BUILDING CONSTRUCTION FUND.

## FOR THE STATE CAPITOL COMMITTEE:

Completion of Soldiers' Monument .....	\$15,000.00
Base of Soldiers' Monument .....	15,000.00
Purchase of Shorelands .....	2,000.00

## FROM THE PARKS AND PARKWAY FUND.

## FOR THE STATE PARKS COMMITTEE:

State Parks .....	\$10,000.00
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## FROM THE FISHERIES FUND.

## FOR THE DEPARTMENT OF FISHERIES:

Capital outlays and major repairs .....	\$78,750.00
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## FROM THE GAME FUND.

## FOR THE DEPARTMENT OF GAME:

Capital outlays and major repairs .....	\$64,500.00
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## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF FINANCE, BUDGET AND BUSINESS:

Repairs to Governor's Mansion, and furnishing.....	\$6,000.00
Replacement of light fixtures .....	2,000.00
Permanent partition, Auditor's office .....	1,100.00
Replacement of awnings .....	500.00
Interior painting, Legislative building.....	5,000.00
Repairs, renewals and furnishings .....	4,000.00
Renewal of rugs, carpets and drapes, Temple of Justice .....	1,000.00
State School for the Blind:	
Dormitory with classrooms.....	40,000.00
Boiler house, boiler and equipment.....	25,000.00
State Custodial School:	
Dormitories for working crews.....	40,000.00
Chapel and school rooms, laundry alterations....	50,000.00
Eastern State Hospital:	
Ward Buildings, alterations.....	280,000.00
Completion and equipment for receiving and observation wards .....	25,000.00
Employees' dormitories .....	15,000.00
Barns and sheds.....	5,000.00
Grading, paving and entrance gates.....	25,000.00
Northern State Hospital:	
Receiving wards, alterations and equipment.....	225,000.00

## Washington State Penitentiary:

Extension of inmates' dining room, kitchen, cold storage and chapel.....	75,000.00
Water tank, foundation and piping.....	10,000.00

## FROM THE PENITENTIARY REVOLVING FUND.

Wall enclosing new power house.....	10,000.00
Moving and reinstalling two boilers.....	6,500.00

## FROM THE REFORMATORY REVOLVING FUND.

## Washington State Reformatory:

Wall around inner court.....	25,000.00
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## FROM THE GENERAL FUND.

## State Soldiers' Home and Colony:

Power house, replace boilers, installation of mechanical stokers, replacing steam lines and recovering .....	50,000.00
Barracks and Employees' dormitories.....	100,000.00

## Washington Veterans' Home:

Fireproof building to replace frame building.....	100,000.00
Auxiliary well, equipment, tank and pipe.....	4,500.00

## Western State Hospital:

Capital outlays, betterments and major repairs, including ward buildings, chapel, cold storage, kitchen, dining rooms, officers' quarters, well, hog houses, sheds and male receiving ward..	400,000.00
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## FROM THE MOTOR VEHICLE FUND.

## FOR THE DEPARTMENT OF HIGHWAYS:

Capital outlays .....	\$170,000.00
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## FROM THE UNIVERSITY OF WASHINGTON BUILDING FUND.

## FOR THE UNIVERSITY OF WASHINGTON:

New recitation and/or laboratory buildings and/or buildings and equipment.....	\$660,000.00
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## FROM THE STATE COLLEGE OF WASHINGTON BUILDING FUND.

## FOR THE STATE COLLEGE OF WASHINGTON:

Equipping and furnishing new science and chemistry buildings .....	\$72,000.00
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## FROM THE COLLEGE FUND.

Classroom, laboratory, gymnasium building or buildings	150,000.00
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## FROM THE GENERAL FUND.

## FOR THE BELLINGHAM STATE NORMAL SCHOOL:

New athletic field.....	\$6,000.00
Physical education building and equipment.....	200,000.00
Replacing roof on main building.....	12,300.00

## FOR THE CHENEY STATE NORMAL SCHOOL:

Training school building and equipment.....	\$255,000.00
Underground heating line conduit system.....	10,000.00

## FOR THE ELLENSBURG STATE NORMAL SCHOOL:

Metal book stacks in Library.....	\$1,500.00
Furnishings and seating equipment in auditorium.....	23,950.00
Shops, classroom and auditorium.....	203,151.00

## FOR THE MILITARY DEPARTMENT:

Major repairs and betterments to armories.....	11,360.00
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## FOR THE WASHINGTON STATE HISTORICAL SOCIETY:

Completion of front of building, work room and upper story .....	25,824.80	
Furniture and fixtures for added rooms.....	3,000.00	
Total capital outlays and major repairs.....		\$3,520,135.80

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Ed. Peirce, Geo. H. Gannon, J. A. Murphy, W. C. Dawson, Kathryn E. Malstrom, E. L. Brunton, Scott M. Ryan.

On motion of Senator Ferryman, the report of the committee was received.

On motion of Senator Lovejoy, the Senate resolved itself into a committee of the whole to consider Engrossed Substitute House Bill No. 420.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Peirce, the report of the committee was adopted.

On motion of Senator Reardon, the committee amendments read in the committee of the whole were adopted.

Senator Lovejoy moved that the reading 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 Substitute House Bill No. 420, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Duggan, Farquharson, Ferryman, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Murfin, Murphy (James A.), Nelson, Nugent, Orndorff, Reardon, Ronald, Ryan (Scott M.), Smith, Steele, Tewksbury, Thein, Worum—30.

Those voting nay were: Senators Dailey, Dawson, Malstrom, Morrow, Norman, Peirce, Roland, Shorett, Thomas, Todd—10.

Absent or not voting: Senators Drumheller, Keller, Knutzen, Murphy (Kebel), Ryan (J. H.), 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 President appointed as members of the conference committee on Senate Joint Resolution No. 7, Senators Duggan, Kyle and Farquharson.

The President appointed as members of the conference committee on Engrossed Senate Bill No. 287, Senators Lovejoy, Miller and Reardon.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has granted the request of the Senate for a Conference Committee on Engrossed House Bill No. 237, and the Speaker has appointed Representatives Yantis, Holt and McDonald (J. D.) as members thereon.

S. R. HOLCOMB, *Chief Clerk.*

The President appointed as members of the conference committee on Engrossed House Bill No. 237, Senators Steele, Mehner and Shorett.

On motion of Senator Orndorff, 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 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 340, entitled: "An Act relating to public roads in the State of Washington; abolishing the general road and bridge and lateral highway funds; providing for a credit and use of a portion of the receipts in the motor vehicle fund; creating a secondary highway fund; defining the powers and duties of certain state and county officials with respect to public roads; providing for certain records and reports; providing for the performance of work on certain public roads by force account or day labor; amending Section 18 of Chapter 163, Session Laws of 1929, as amended by Section 4 of Chapter 41, Session Laws of 1933, Section 6 of Chapter 88, Session Laws of 1929, as amended by Section 8 of Chapter 41, Session Laws of 1933, and Sections 6, 10, 14, 17, 21 and 22 of Chapter 41, Session Laws of 1933; repealing Chapter 168, Session Laws of 1933, and Sections 5, 12, 18, 19, 20 and 23 of Chapter 41, Session Laws of 1933, and acts in conflict herewith; and declaring an emergency and that this act shall take effect April 1, 1935," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Substitute Senate Bill No. 87, entitled: "An Act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds, and amending Sections 16, 23, 27, 30, 33, 37, 52, 55, 62, 69, 70, 71, 72, 90, 92, and 93 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Sections 7306-16, 7306-23, 7306-27, 7306-30, 7306-33, 7306-37, 7306-52, 7306-55, 7306-62, 7306-69, 7306-70, 7306-71, 7306-72, 7306-90, 7306-92, and 7306-93 of Remington's Revised Statutes, and declaring this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: W. J. Knutzen, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 217, entitled: "An Act relating to and providing for aid to dependent children; prescribing the powers and duties of certain state officers in connection therewith, and providing when the act shall take effect," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: W. J. Knutzen, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.

The Secretary read:

**REPORT OF CONFERENCE COMMITTEE.**

MR. PRESIDENT:

OLYMPIA, WASH., March 14, 1935.

We, of your Conference Committee, to whom was referred Engrossed House Bill No. 237, entitled: "An Act relating to revenue and taxation; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in business activities; providing for the levy and collection of a tax or excise upon retail sales; providing for levy and collection of tax upon admissions to any place; providing for levy and collection of tax upon inheritances and gifts; providing for tax upon liquor; providing for tax upon stock transfers; providing for tax upon persons operating commercial radio stations; providing the necessary administrative machinery for the collection and enforcement thereof; providing for certain exemptions and deductions; declaring certain acts in connection therewith unlawful and providing penalties; making appropriations; providing for the distribution of revenue derived hereunder; providing for shortening the operative period of Chapter 191, Laws of 1933, as amended; providing for the amendment of Sections 1, 2, 8, 12, 13, 15 and 18, Chapter 55, Laws of 1901, as amended, Section 4, Chapter 146, Laws of 1917, as amended, Section 95, Chapter 156, Laws of 1917, as amended, Section 5, Chapter 203, Laws of 1929, and Sections 4 and 7, Chapter 134, Laws of 1931; providing for the repeal of Section 1, Chapter 135, Laws of 1929, Sections 1 and 2, Chapter 202, Laws of 1929, as amended, and Section 1, Chapter 134, Laws of 1931; declaring an emergency and 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:*

PAUL MEHNER,  
E. N. STEELE,  
JUDSON W. SHORETT.

*House Members:*

GEO. F. YANTIS,  
J. D. McDONALD,  
A. E. HOLT.

Senator Lovejoy moved that the report of the conference committee be adopted and that the powers of free conference be granted.

Senators Norman, McAulay, Bengtson, Kyle, Roland, Reardon, Kerstetter and Murphy (Kebel) demanded a roll call on the motion by Senator Lovejoy. A roll call was ordered.

The Secretary called the roll on the motion by Senator Lovejoy and the motion carried by the following vote:

Those voting aye were: Senators Bengtson, Brunton, Dawson, Drumheller, Duggan, Ferryman, Gannon, Garrett, Lovejoy, Malstrom, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Nelson, Nugent, Orndorff, Peirce, Reardon, Ronald, Shorett, Steele, Tewksbury, Thein, Todd, Worum—29.

Those voting nay were: Senators Dailey, Farquharson, Kerstetter, Kyle, Murphy (James A.), Murphy (Kebel), Norman, Roland, Ryan (J. H.), Ryan (Scott M.), Thomas—11.

Absent or not voting: Senators Barnes, Keller, Knutzen, Maxwell, Smith, Stinson—6.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed House Bill No. 191; also Substitute House Bill No. 233; also House Bill No. 327,

and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Bill No. 191, Substitute House Bill No. 233, and House Bill No. 327.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has granted the request of the Senate for a conference committee on House Bill No. 552 and the Speaker has appointed Representatives Emory, Gifford and McDonald (D. A.) as members thereon. S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has refused to recede from its amendment to Senate Bill No. 159 and asks that a conference committee be appointed thereon.

S. R. HOLCOMB, *Chief Clerk.*

Senator Knutzen moved that the request of the House be granted and that a Conference Committee be appointed on Senate Bill No. 159.

The motion by Senator Knutzen carried.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House refuses to concur in the Senate amendments to Engrossed Substitute House Bill No. 420 and asks the Senate to recede therefrom, and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk.*

On motion of Senator Kyle, the Senate refused to recede from its amendments to Engrossed Substitute House Bill No. 420 and asked the House for a conference committee thereon.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has appointed Representatives Keith, Yantis and Sandegren as members of the conference committee on Engrossed Senate Bill No. 287; also

The Speaker has appointed Representatives Murray, Holt and Ott as members of a conference committee on Engrossed Senate Joint Resolution No. 7.

S. R. HOLCOMB, *Chief Clerk.*

The President appointed as members of the conference committee on House Bill No. 552, Senators McAulay, Drumheller and Gannon.

The Secretary read:

**REPORT OF CONFERENCE COMMITTEE.**

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed Senate Bill No. 287, entitled: "An Act authorizing the expenditure of funds from the Liquor Revolving Fund by the Washington State Liquor Control Board in the purchase of

real estate and construction of an office building in Olympia, Washington," 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:*

GEO. A. LOVEJOY,  
K. W. REARDON,  
EDMUND J. MILLER.

*House Members:*

L. D. KEITH,  
RAY SANDEGREN,  
GEO. F. YANTIS.

On motion of Senator Lovejoy, the report of the Conference Committee was adopted and the powers of free conference granted.

On motion of Senator Nelson, the Senate referred back to the first order of business for the purpose of considering a memorial.

**House Joint Memorial No. 23**, by Representative Wiswall: "Changing the name of Vancouver Barracks to Fort Vancouver," was read the third time.

The Secretary called the roll on the final passage of House Joint Memorial No. 23, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Gannon, Garrett, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Smith, Stinson, Tewksbury, Thein, Todd, Worum—38.

Those voting nay were: Senators Farquharson, Thomas—2.

Absent or not voting: Senators Ferryman, Keller, Knutzen, Mehner, Shorett, Steele—6.

The memorial, having received the constitutional majority, was declared passed.

Senator Miller moved that the free conference committee on Engrossed House Bill No. 237 be discharged of further consideration of said bill.

Senator Drumheller moved that the motion by Senator Miller be laid on the table.

The motion by Senator Drumheller carried.

Senator Ryan (J. H.) moved that the House be correctly informed as to the final vote on the motion by Senator Reardon on his proposed amendment to Engrossed House Bill No. 237.

Senator Lovejoy moved that the motion by Senator Ryan (J. H.) be laid on the table.

Senators Miller, Ryan (J. H.), Nugent, Ferryman, Kerstetter, Dailey, Roland and Morrow demanded a roll call on the motion by Senator Lovejoy.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Lovejoy and the motion carried by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Murfin, Orndorff, Reardon, Ronald, Shorett, Smith, Stinson, Thein, Todd, Worum—25.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—20.

Absent or not voting: Senator Steele—1.

The Secretary read:

**REPORT OF CONFERENCE COMMITTEE.**

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred House Bill No. 552, entitled: "An act relating to depositories of public funds and amending Sections 5548, 5559 and 5551, Remington's Revised Statutes," have had the same under consideration, and we recommend that the Senate recede from its position and that all Senate amendments be stricken and the bill do pass without amendments.

*Senate Members:*

GEO. H. GANNON,  
GEO. F. MCAULAY,  
JOSEPH DRUMHELLER.

*House Members:*

DONALD A. McDONALD,  
DAVID E. GIFFORD,  
DEWOLFE EMORY.

On motion of Senator Gannon, the report of the Conference Committee was adopted.

The Secretary called the roll on the final passage of House Bill No. 552, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Drumheller, Duggan, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutson, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Norman, Nugent, Orndorff, Peirce, Reardon, Roland, Ronald, Ryan (Scott M.), Shorett, Smith, Stinson, Tewksbury, Thein, Todd, Worum—42.

Those voting nay were: Senators Ryan (J. H.), Thomas—2.

Absent or not voting: Senators Nelson, Steele—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 signed Senate Bill No. 340.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Substitute House Bill No. 60; also House Bill No. 295; also Substitute House Bill No. 500; also House Bill No. 529; also Senate Joint Resolution No. 19; also Senate Joint Resolution No. 20; also Senate Bill No. 19; also Senate Bill No. 34; also Senate Bill No. 38; also Substitute Senate Bill No. 39; also Substitute Senate Bill No. 70; also Senate Bill No. 85; also Substitute Senate Bill No. 90; also Senate Bill No. 105; also Senate Bill No. 110; also Senate Bill No. 112; also Substitute Senate Bill No. 113; also

Senate Bill No. 118; also  
 Senate Bill No. 147; also  
 Senate Bill No. 158; also  
 Senate Bill No. 160; also  
 Senate Bill No. 223; also  
 Substitute Senate Bill No. 226; also  
 Senate Bill No. 242; also  
 Substitute Senate Bill No. 257; also  
 Senate Bill No. 267; also  
 Senate Bill No. 270; also  
 Senate Bill No. 274; also  
 Senate Bill No. 299; also  
 Senate Bill No. 307; also  
 Senate Bill No. 319; also  
 Senate Bill No. 324; also  
 Senate Bill No. 333; also  
 Senate Bill No. 346; also  
 Senate Bill No. 348; also  
 Senate Bill No. 350; also  
 Senate Bill No. 362; also  
 Senate Bill No. 363; also  
 Senate Bill No. 364,

and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed Senate Bill No. 217, Substitute Senate Bill No. 87, Substitute House Bill No. 60, House Bill No. 295, Substitute House Bill No. 500 and House Bill No. 529.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has receded from its amendments to Engrossed Senate Bill No. 206 and passed the bill without the House amendments, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
 OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Engrossed House Bill No. 237 and has granted the powers of free conference to the said committee.

S. R. HOLCOMB, *Chief Clerk.*

Senator Ryan (J. H.) made the following protest:

As a member of the Senate of the Twenty-fourth Legislative Session, I hereby make a protest of the unlawful proceedings engaged in, in this body, on the night of Mch. the 15th on sending to Conference Committee, Engrossed House Bill No. 237. The amendment by Senator Reardon to strike everything from title "four" on to the end was never acted upon, due to the fact that Senator Miller's motion which was offered a few minutes later prevented the action of the Senate from acting on the motion of Senator Reardon's motion to strike.

The records show this to be the fact, and the records were falsified to show a different situation to the one that actually occurred.

Hence, I again repeat that all of the conferences on Engrossed House Bill No. 237 is contrary to the rules of the Senate to the Constitution and any action taken on this particular measure is null and void.

I want this spread upon the record verbatim.

Senators Kyle, Nugent, Murphy (Kebel), Thomas, Malstrom, Farquharson, Miller, Murphy (James A.), Ryan (J. H.), Morrow, Dailey, Roland and Kerstetter made the following protest:

I hereby protest the action of the Senate in refusing to inform the House of Representatives of the action in connection with Engrossed House Bill No. 237. So that they may know that the Bill is improperly in their hands at 8:15 p. m. March 16, 1935.

H. I. KYLE,  
D. O. NUGENT,  
KEBEL MURPHY,  
PAUL G. THOMAS,  
KATHRYN E. MALSTROM,  
MARY U. FARQUHARSON,  
EDMUND J. MILLER.

JAMES A. MURPHY,  
J. H. RYAN,  
P. FRANK MORROW,  
JAMES DAILEY,  
S. C. ROLAND,  
G. B. KERSTETTER.

The Secretary read:

**REPORT OF CONFERENCE COMMITTEE.**

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Substitute House Bill No. 483, entitled: "An Act relating to transportation of freight by motor vehicles over the public highways of the State of Washington, providing for the supervision, regulation and taxation thereof, and the payment of fees thereby, providing penalties for the violation of this act, and repealing Chapter 55, Laws Extraordinary Session 1933, Chapter 166, Laws of 1933, laws or parts of laws thereof in Chapter 96 and Chapter 111, Laws of 1921, and other laws inconsistent with or in conflict with this act, and declaring an emergency," have had the same under consideration, and we are unable to agree and ask that we be granted powers of free conference.

*Senate Members:*

S. C. ROLAND,  
J. P. KELLER,  
HORACE E. SMITH.

*House Members:*

RALPH VAN DYK,  
VIC SKINNER,  
CARL E. DEVENISH.

On motion of Senator Roland, the report of the Conference Committee was adopted and the powers of free conference granted.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

MR. PRESIDENT:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

The House has granted the request of the Senate for a conference on Senate amendments to Engrossed Substitute House Bill No. 420, and the Speaker has appointed as a conference committee thereon Representatives Edwards, Emory and Cowen.

S. R. HOLCOMB, *Chief Clerk.*

The President appointed as members of the conference committee on Engrossed Substitute House Bill No. 420, Senators Ferryman, Gannon and Peirce.

The President signed Senate Bill No. 206.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

MR. PRESIDENT:

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

The House has adopted the report of the Conference Committee on Engrossed Senate Bill No. 287 and has granted the powers of free conference to said committee.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Substitute Senate Bill No. 87; also Senate Bill No. 217; also Senate Bill No. 340, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

**RESOLUTION.**

By Senator Ryan (J. H.):

*Be It Hereby Resolved by the Senate of the State of Washington in Legislative Session Assembled, that*

WHEREAS, The Employment Committee of the Senate recommends that work necessary to the close of the session remains to be done,

*Therefore Be It Resolved, That Joseph Mehan, Sergeant-at-Arms, be retained on duty for ten days (10) after the close of the session to perform such functions of his office as will be necessary.*

On motion of Senator Ryan (J. H.), the resolution was adopted.

The Secretary read:

**REPORT OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 206, entitled: "An Act relating to elections and to precinct election boards and the appointment thereof; repealing Section 5 of Chapter 61, Laws of 1921, as amended by Section 1 of Chapter 79, Laws of 1933; repealing Section 3 of Chapter 170, Laws of 1921, as amended by Section 3 of Chapter 279 of Laws of 1927 and repealing Section 1 of Chapter 29, Laws of Extraordinary Session, 1933," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, W. J. Knutzen.

On motion of Senator Orndorff, the report of the committee was received.

**Senate Bill No. 305:**

The Secretary read:

**REPORT OF STANDING COMMITTEE.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, your Committee on Appropriations to whom was referred Senate Bill No. 305, 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, and for deficiencies and for emergencies, including deficiencies and appropriations of revolving funds, and for purposes specified in certain Acts of Congress, and for miscellaneous purposes designated for the fiscal biennium beginning April 1st, 1935, and ending March 31st, 1937, except as otherwise provided, and providing this act shall take effect immedi-

ately," have had the same under consideration, and we respectfully report the same back to the Senate with the recommendation that Substitute Senate Bill No. 305 be substituted therefor and that it do pass.

JOHN H. FERRYMAN, *Chairman.*

We concur in this report: Kathryn E. Malstrom, Joseph Drumheller, Scott M. Ryan, E. L. Brunton, Geo. H. Gannon, Ed. Peirce.

On motion of Senator Ferryman, the report of the committee was received.

Substitute Senate Bill No. 305 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.

On motion of Senator Lovejoy, the Senate resolved itself into a committee of the whole to consider Substitute Senate Bill No. 305.

The bill was considered in the committee of the whole, Senator Peirce in the chair, and reported back to the Senate with the recommendation that it do pass as amended.

On motion of Senator Peirce, the report of the committee was adopted.

On motion of Senator Reardon, the following amendment made in the committee of the whole was adopted:

Amend page 20, at the item of Washington State Planning Council as follows: "To carry out the provisions of Senate Bill No. 341 reappropriate twenty-six thousand seven hundred eighty-three dollars (\$26,783.00) of the unexpended balance of fifty thousand dollars (\$50,000.00) granted by Chapter 71 of the Laws of 1933, to the use of the Puget Sound-Grays Harbor-Willapa Harbor Canal."

Senator Lovejoy moved that the reading 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 Senate Bill No. 305, as amended, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Drumheller, Duggan, Farquharson, Ferryman, Garrett, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Metcalf, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Nugent, Orndorff, Peirce, Reardon, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Worum—38.

Those voting nay were: Senators Dawson, Knutzen, Norman, Roland, Ryan (Scott M.), Thomas, Todd—7.

Absent or not voting: Senator Gannon—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 appointed as members of the conference committee on Senate Bill No. 159, Senators Knutzen, McAulay and Worum.

The Secretary read:

#### REPORT OF CONFERENCE COMMITTEE.

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed Substitute House Bill No. 420, entitled: "An Act making appropriations for the payment of salaries of certain officers and employees of the state and for the operation, main-

tenance 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 certain emergencies and for sundry civil expenses of the state government, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal biennium beginning April 1, 1935, and ending March 31, 1937, 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 the powers of free conference.

*Senate Members:*

JOHN H. FERRYMAN,  
ED. PEIRCE,  
GEO. H. GANNON.

*House Members:*

A. E. EDWARDS,  
DEWOLFE EMORY,  
DR. DAVID COWEN.

On motion of Senator Kyle, the report of the Conference Committee was adopted and the powers of free conference granted.

The Secretary read:

**MESSAGES FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has appointed Representatives Gardner, Leber and Drew as members of a conference committee on House amendments to Senate Bill No. 159.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Senate amendments to Engrossed Substitute House Bill No. 483, and has granted the said committee powers of free conference.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

In accordance with the provisions set forth in Substitute House Joint Resolution No. 11, providing for an investigation of the Washington Emergency Relief Administration, the Speaker has appointed Representatives Edwards, Chairman, and Representatives Smith (T. E.), Neff and Luck as members of the committee.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Senate amendments to House Bill No. 552.

S. R. HOLCOMB, *Chief Clerk.*

In accordance with the previous motion by Senator Gannon, the President appointed Senators Murphy (Kebel), Stinson and Kyle under the provisions set forth in Substitute House Joint Resolution No. 11 providing for an investigation of the Washington Emergency Relief Administration.

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on House amendments to Engrossed Senate Bill No. 287, and passed the bill as amended by the said committee, and said bill, together with copy of the report is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

## REPORT OF FREE CONFERENCE COMMITTEE.

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed Senate Bill No. 287, entitled: "An Act authorizing the expenditure of funds from the Liquor Revolving Fund by the Washington State Liquor Control Board in the purchase of real estate and construction of an office building in Olympia, Washington," have had the same under consideration, and we recommend that the said bill do pass with the following amendments:

Amend the bill by striking all that portion of the bill following the enacting clause and inserting in lieu thereof the following:

"SECTION 1. The State Capitol Committee is authorized and empowered to erect and complete one of the office buildings provided for in the group plan adopted by the Capitol Committee pursuant to Chapter 59 of the Session Laws of 1911 on the site designated in the statutes as 'Capitol Place,' for the use of the Washington State Liquor Control Board, the Department of Public Lands and other state departments.

"SEC. 2. The Washington State Liquor Control Board is hereby authorized and directed to pay over to the State Capitol Committee from the Liquor Revolving Fund the sum of two hundred thousand dollars (\$200,000) for the purpose of carrying out the provisions of this act: *Provided, however,* That such funds shall be paid over to said State Capitol Committee only when the United States or its agencies shall allocate at least an equal amount toward the erection and completion of such building.

"SEC. 3. This act is necessary for the immediate preservation of the public peace, health and safety and for the support of the state government and its existing public institutions and shall take effect immediately."

Amend the bill by striking the title and inserting in lieu thereof the following:

"An Act authorizing the State Capitol Committee to erect an office building on 'Capitol Place' and authorizing the Washington State Liquor Control Board to pay over to the State Capitol Committee from the Liquor Revolving Fund the sum of two hundred thousand dollars (\$200,000) for such purpose and as within the act provided, and declaring an emergency."

*Senate Members:*

GEO. A. LOVEJOY,  
K. W. REARDON,  
EDMUND J. MILLER.

*House Members:*

L. D. KBITH,  
RAY SANDEGREN,  
GEO. F. YANTIS.

On motion of Senator Miller, the report of the free conference committee on Engrossed Senate Bill No. 287 was adopted.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 287, as amended by the Free Conference Committee, and it failed to pass the Senate by the following vote:

Those voting aye were: Senators Barnes, Dailey, Dawson, Drumheller, Duggan, Garrett, Keller, Maxwell, McAulay, Miller, Murphy (James A.), Nelson, Norman, Ryan (J. H.), Shorett, Smith, Steele, Tewksbury, Thein—19.

Those voting nay were: Senators Bengtson, Brunton, Farquharson, Ferryman, Kerstetter, Knutzen, McMillan, Morrow, Murfin, Murphy (Kebel), Nugent, Roland, Ronald, Ryan (Scott M.), Stinson, Thomas, Todd, Worum—18.

Absent or not voting: Senators Gannon, Kyle, Lovejoy, Malstrom, Mehner, Metcalf, Orndorff, Peirce, Reardon—9.

The bill, having failed to receive the constitutional majority, was declared lost.

Senator Nugent gave notice that at the proper time he would move to reconsider the vote by which Engrossed Senate Bill No. 287 failed to pass the Senate.

The Secretary read:

**REPORT OF COMMITTEE ON ENGROSSED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Engrossed Bills, to whom was referred Engrossed Substitute Senate Bill No. 305, 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, and for deficiencies and for emergencies, including deficiencies and appropriations of revolving funds, and for purposes specified in certain Acts of Congress, and for miscellaneous purposes designated for the fiscal biennium beginning April 1st, 1935, and ending March 31st, 1937, except as otherwise provided, and providing this act shall take effect immediately," have compared same with the Substitute bill and find it correctly engrossed.

Respectfully submitted,

A. M. MURFIN, *Chairman.*

We concur in this report: P. Frank Morrow, J. W. Thein.

On motion of Senator Murfin the report of the committee was received.

On motion of Senator Miller, the Senate referred back to the first order of business for the purpose of introducing a resolution.

The Secretary read:

**RESOLUTION.**

By Senator Miller:

*Be It Resolved by the Senate of the State of Washington in Legislative Session Assembled, That*

WHEREAS, The members and the employees of the Senate have been subject to the ills and indispositions that beset humanity, and

WHEREAS, Their infirmities and weaknesses have been aggravated and intensified because of an environment different from that to which they had been accustomed in the bosom of their families, and

WHEREAS, the good Samaritan has been constantly, consistently and helpfully present in every emergency, in the person of Senator D. O. Nugent, M. D., and

WHEREAS, The good doctor has rendered first aid without thought of recompense and has performed his offices without the formality of rendering a bill,

*Therefore, Be It Resolved,* That the Senate, for its members and employees, hereby expresses its gratitude and appreciation and extends its hearty thanks to Senator Nugent for his efficient services and kindly sympathy.

On motion of Senator Miller, the resolution was adopted.

**RESOLUTION.**

By Senator Miller:

WHEREAS, Senator Nugent was called from the Senate chamber during the strenuous days of this session to render surgical and medical aid to an employee in the House of Representatives, who is now safely back on the road to recovery and health;

WHEREAS, Senator Nugent in innumerable instances has given freely of his professional advice and service to members of the Senate and employees of this body, without charge;

*Therefore, Be It Resolved,* That the Senate of the 24th legislative session do extend to Dr. Nugent their heartfelt appreciation and sincere thanks, and that we further express to him our appreciation and pride in having a so distinguished and capable physician and surgeon as a member of this body, who has in so many ways expressed his humanitarian sympathies for his fellow man, and has made manifest to his fellow Senators, the employees of the Senate, and to his host of friends, that besides being a physician, and a Senator, he is above all else, a man.

On motion of Senator Miller, the resolution was adopted.

Senator Nugent moved that the Senate reconsider the vote by which Engrossed Senate Bill No. 287 failed to pass the Senate.

The motion carried.

#### RECONSIDERATION.

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 287, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Dailey, Dawson, Drumheller, Duggan, Gannon, Garrett, Keller, Kyle, Lovejoy, Maxwell, McAulay, Mehner, Metcalf, Miller, Morrow, Murphy (James A.), Nelson, Norman, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Todd, Worum—32.

Those voting nay were: Senators Bengtson, Brunton, Farquharson, Ferryman, Kerstetter, Knutzen, McMillan, Murfin, Murphy (Kebel), Roland, Ryan (Scott M.), Thomas—12.

Absent or not voting: Senators Malstrom, 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.

The Secretary read:

#### REPORT OF FREE CONFERENCE COMMITTEE.

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed Substitute House Bill No. 483, entitled: "An Act relating to transportation of freight by motor vehicles over the public highways of the State of Washington, providing for the supervision, regulation and taxation thereof, and the payment of fees thereby, providing penalties for the violation of this act, and repealing Chapter 55, Laws Extraordinary Session 1933, Chapter 166, Laws of 1933, Laws or parts of laws thereof in Chapter 96 and Chapter 111, Laws of 1921 and other laws inconsistent with or in conflict with this act, and declaring an emergency," have had the same under consideration, and we recommend it do pass with the following amendments:

Amend by striking everything after the enacting clause and insert in lieu thereof the following:

SECTION 1. The business of operating as a motor carrier of freight for hire along the highways of this state is declared to be a business affected with a public interest. The rapid increase of motor carrier freight traffic and the fact that under the existing law many motor trucks are not effectively regulated have increased the dangers and hazards on public highways and make it imperative that regulation should be employed to the end that the highways may be rendered safe for the use of the general public; that the shippers of the state may be provided with a stabilized service and rate structure; that the use of the highways for the transportation of property may be regulated to the extent required by the convenience of the general public.

SEC. 2. When used in this act:

(a) The term "person" means and includes an individual, firm, copartnership, 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 regu-

lar or irregular routes, or regular or irregular schedules, including motor vehicle operations of carriers by rail or water and of express or forwarding companies.

(f) The term "contract carrier" means any person, not included under paragraph "e" of this section, who under special and individual contracts or agreements transports property by motor vehicle for compensation.

(g) The term "special carrier" means any person engaged exclusively in the transportation of logs, piling, poles, pulpwood, coal, minerals, sand, gravel, rock and other building materials in vehicles especially constructed and equipped for handling such commodities and operating for compensation.

(h) The term "private carrier" means any person engaged in the transportation in his own vehicle of property owned, sold or to be sold by him in the furtherance of any private commercial enterprise or for the purpose of lease, rent or bailment.

(i) The term "motor carrier" means and includes "common carrier," "contract carrier," "special carrier," "private carrier" and "exempt carrier" as herein defined.

(j) The term "exempt carrier" means any person operating a vehicle exempted from certain provisions of this act under Section 3 hereof.

(k) 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.

SEC. 3. The provisions of this act, except where specifically otherwise provided and except the provisions providing for licenses shall not apply to:

(a) Motor vehicles operated exclusively within the corporate limits of any city or town.

(b) Motor vehicles operated exclusively in the transportation of United States Mail or in the transportation of newspapers or periodicals.

(c) Motor vehicles owned and operated by the United States, the State of Washington, or any county, city, town or municipality therein, or by any department of them, or either of them.

(d) Vehicles specially constructed for towing or wrecking and not otherwise used in transporting goods for compensation.

(e) Motor vehicles owned and operated by farmers in the transportation of their own farm, orchard or dairy products from point of production to market, or in the infrequent or seasonal transportation by one farmer for another in his immediate neighborhood of products of the farm, orchard or dairy, or of supplies or commodities to be used on the farm, orchard or dairy.

(f) Motor vehicles operating under special contract or agreement with the federal or state relief administrations or welfare departments, or transporting wood for fuel from point of production to market or assembling place.

If it is held that it is necessary that any of the persons or vehicles aforesaid be included under any of the provisions of this act to sustain the validity or constitutionality thereof they shall be deemed so included.

SEC. 4. It shall be unlawful for any person to operate as a "motor carrier" on any public highway of this state except in accordance with the provisions of this act.

SEC. 5. No "common carrier," "contract carrier," or "special carrier" shall hereafter operate for the transportation of property for compensation in this state without first obtaining from the department a permit so to do under the provisions of this act. A permit shall be issued to any qualified applicant therefor without hearing, or after hearing if the department deems such hearing necessary in the public interest, authorizing the whole or any part of the operations covered by the application, if it is found that the applicant is fit, willing and able to perform the service proposed and to conform to the provisions of this act and the requirements, rules and regulations of the department hereunder, and that the proposed service to the extent authorized will not be contrary to the declared policy of this act.

No permit shall be granted if the department finds that the applicant is not financially able, properly and adequately equipped and capable of conducting the transportation service applied for in compliance with the law and rules and regulations

of the department, or if the applicant or any of its principal officers or stockholders fail to comply with the laws of the State of Washington or with the laws of the United States regulating motor transportation.

Nothing contained in this act shall be construed to confer upon any person the exclusive right or privilege of transporting property for compensation over the public highways of the State of Washington. No certificate of public convenience and necessity shall be required and existing certificates of public convenience and necessity for the transportation of property for compensation are hereby abolished.

SEC. 6. Application for permits shall be made to the department in writing and shall state the ownership, financial condition, equipment to be used and physical property of the applicant, the territory or route or routes in or over which the applicant proposes to operate, the nature of the transportation to be engaged in and such other information as the department may require, and in case such application is that of a "contract carrier" shall have attached thereto the original or duly verified copies of all contracts to furnish transportation covered by such application.

SEC. 7. The department shall prescribe forms of application for permits for the use of prospective applicants, and shall make regulations for the filing thereof.

Applications for permits shall be accompanied by the following fees:	
Applications for permits.....	\$10.00
Applications for temporary permits.....	5.00
Applications for duplicates to permits, or permits under this act in place of Certificate of Public Convenience and Necessity or permits now in existence.....	2.00

SEC. 8. Permits granted by the department shall be in such form as the department shall prescribe and shall set forth the name and address of the person to whom the permit is granted, the nature of the transportation service to be engaged in and the principal place of operation, termini or route to be used or territory to be served by the operation. No permit holder shall operate except in accordance with the permit issued to him.

SEC. 9. No person whose application for a permit has been denied after hearing under any of the provisions of this act shall be eligible to renew the application for a period of six months from the date of the order denying such application and the cessation or abandonment of any operation pursuant thereto.

SEC. 10. The department may from time to time establish such just and reasonable classifications of the groups of carriers included in the terms "common carriers," "contract carriers" and "special carriers" as the special nature of the services performed by such carriers shall require, and such just and reasonable rules, regulations and requirements, consistent with the provisions of this act, to be observed by the carriers so classified or grouped, as the department deems necessary or advisable in the public interest.

SEC. 11. The department is hereby vested with power and authority, and it is hereby made its duty, to supervise and regulate every "common carrier" in this state; to fix, alter and amend just, fair, reasonable and sufficient rates, charges, classifications, rules and regulations of each such carrier; to regulate the accounts, service and safety of operations thereof; to require the filing of annual and other reports and of other data thereby; and to supervise and regulate such "common carriers" in all other matters affecting their relationship with both the shipping and the general public.

SEC. 12. The department is hereby vested with power and authority, and it is hereby made its duty, to supervise and regulate every "contract carrier" and "special carrier" in this state; to fix, alter and amend just, fair and reasonable classifications, rules and regulations and minimum rates and charges of each such "contract carrier" and "special carrier;" to regulate the accounts, service and safety of operations thereof; and require the filing of annual and other reports and of other data thereby; and to supervise and regulate such "contract carriers" and "special carriers" in all other matters affecting their relationship with both the shipping and the general public.

SEC. 13. The department is hereby vested with power and authority, and it shall be its duty, to supervise and regulate every "private carrier" and "exempt carrier" as to its safety of operation; to require the filing of such information and data thereby as may be required by the department in carrying out the provisions of this act; and to supervise and regulate such "private carriers" and "exempt carriers" in all other matters affecting their relationship with the shipping and the general public.

SEC. 14. The department shall have power and authority to issue temporary permits to temporary "common carriers," "contract carriers" and "special carriers" covering temporary or seasonal operations for a period not to exceed one hundred twenty (120) days and may prescribe such special rules and regulations and impose such special terms and conditions with reference thereto as in its judgment are reasonable and necessary in carrying out the provisions of this act.

SEC. 15. Whether or not any motor vehicle is used in the business of transporting property for compensation within the meaning of this act shall be a question of fact, depending upon the frequency of operation, amount and basis of compensation, whether title thereto has been taken merely for the period of transportation or until delivery thereof at the point of destination, whether the carrier is regularly engaged in the buying and selling of the property transported as his principal business, whether an increased selling price assignable to the cost of transportation is charged for the property transported when delivered at the point of delivery as compared with the price charged when delivered at the point of shipment, and such other facts as indicate the true nature and extent of such use and the receipt of compensation therefor; and in all cases where any compensation for transportation is received, either directly or indirectly, the question shall be determined upon disclosing and reporting to the department of such facts as it shall require.

SEC. 16. The department shall in the granting of permits to "common carriers" and "contract carriers" under this act require such carriers to either procure and file liability and property damage insurance from a company licensed to write such insurance in the State of Washington, or deposit such security, for such limits of liability and upon such terms and conditions as the department shall determine to be necessary for the reasonable protection of the public against damage and injury for which such carrier may be liable by reason of the operation of any motor vehicle.

In fixing the amount of said insurance policy or policies, or deposit of security, the department shall give due consideration to the character and amount of traffic and the number of persons affected and the degree of danger which the proposed operation involves.

SEC. 17. The department is hereby vested with power and authority, and it is hereby made its duty, in issuing permits to "special carriers," to attach thereto such terms and conditions and to require such insurance or security as it may deem necessary for the protection of the public highways and to be for the best interest of the shipping and the general public. All such permits shall be deemed temporary and may be revoked by the department upon recommendation of the state or county authorities in charge of highway maintenance when in the judgment of such authorities such revocation is required in order to preserve the public highways.

SEC. 18. No "common carrier," "contract carrier," "special carrier," or "private carrier," its officers or agents, shall require or permit any driver or operator of any motor vehicle used in the transportation of property to be or remain on duty for a longer period than ten consecutive hours, and whenever any such driver or operator shall have been continuously on duty for ten hours he shall be relieved and not required or permitted again to go on duty until he has at least eight consecutive hours off duty; and no such driver or operator who has been on duty ten hours in the aggregate in any twenty-four hour period shall be required or permitted to continue or again go on duty without having had at least eight consecutive hours off duty: *Provided*, That the provisions of this section shall not apply to any case of casualty or unavoidable accident, or the act of God, nor to the crews of wrecking or relief motor vehicles.

SEC. 19. All rates and charges made and all rules, regulations and practices adopted by each "common carrier" shall be plainly stated in tariff schedules or classifications available to the public at the office of such carrier and filed with the department before such rates, charges, classifications, rules, regulations and practices become effective.

No "common carrier" or "contract carrier" shall collect or receive a greater, less or different remuneration for the transportation of property or for any service in connection therewith than the rates and charges which shall have been legally established and filed with the department, or as are specified in the contract or contracts filed, as the case may be, nor shall any such carrier refund or remit in any manner or by any device any portion of the rates and charges required to be collected by each tariff or contract or filing with the department.

The department may check the records of all carriers under this act and of those employing the services of the carrier for the purpose of discovering all discriminations, under or overcharges and rebates, and may revoke permits for violations of this section.

The department may refuse to accept any time schedule or tariff or contract that will, in the opinion of the department, limit the service of a carrier to profitable trips only or to the carrying of high class commodities in competition with other carriers who give a complete service and thus afford one carrier an unfair advantage over a competitor.

SEC. 20. The department shall have power and authority to require a common carrier by motor vehicle, railroad, express or water to establish reasonable through rates with other common carriers by motor vehicle, railroad, express and water, and to provide safe and adequate service, equipment and facilities for the transportation of property; to establish and enforce just and reasonable individual and joint rates, charges and classifications, and just and reasonable regulations and practices relating thereto, and in case of such joint rates, fares and charges to establish just, reasonable and equitable divisions thereof as between the carriers participating therein, which shall not unduly prefer or prejudice any of such participating carriers.

SEC. 21. The department may, under such rules and regulations as it shall prescribe, require any common carrier to file a surety bond, or deposit security, in a sum to be determined by the department, to be conditioned upon such carrier making compensation to shippers and consignees for all money belonging to shippers and consignees, and coming into the possession of such carrier in connection with its transportation service. Any common carrier which may be required by law to compensate a shipper or consignee for any loss, damage or default for which a connecting common carrier is legally responsible shall be subrogated to the rights of such shipper or consignee under any such bond or deposit of security to the extent of the sum so paid.

SEC. 22. It shall be unlawful for any person to operate any vehicle at the same time in more than one class of operation, except upon approval of the department and a finding that such operation will be in the public interest.

No "private carrier" as such shall transport property for compensation.

No "exempt carrier" as such shall transport property for compensation except as hereinabove provided.

SEC. 23. No permit issued under the authority of this act shall be construed to be irrevocable, or subject to transfer or assignment.

Every carrier who shall cease operation and abandon his rights under the permit issued him shall notify the department within thirty (30) days of such cessation or abandonment, and return to the department the identification plates issued to him by the department.

SEC. 24. Permits may be cancelled, suspended, altered or amended by the department after notice and hearing upon complaint by any interested party, or upon its own motion, when the permittee or his or its agent has repeatedly violated this act, the rules and regulations of the department or the motor laws of this state or of the United States, or the permittee has made unlawful rebates or has not conducted his operation in accordance with the permit granted him. Any person may at the instance of the department be enjoined from any violation of the provisions of this act, or any order, rule or regulation made by the department pursuant to the terms hereof. If such suit be instituted by the department no bond shall be required as a condition to the issuance of such injunction.

SEC. 25. The department shall have power and authority, by general order or otherwise, to prescribe rules and regulations in conformity with this act to carry out the purposes thereof, applicable to any and all "motor carriers," or to any persons transporting property by motor vehicle for compensation even though they do not come within the term "motor carrier" as herein defined.

The department shall mail each holder of a permit under this act a copy of such rules and regulations.

SEC. 26. The department shall prescribe an identification card which must be displayed within the cab of each motor vehicle required to have a permit under this act, setting out permit number and the route over or territory in which the vehicle is authorized to operate and the name and address of the owner of said permit. The identification card provided for herein may be in such form and contain such informa-

tion as required by the department. It shall be unlawful for the owner of said permit, his agent, servant or employee, or any other person to use or display said identification card, the permit number or other insignia of authority from the department after said permit has expired, been cancelled or disposed of, or to operate any vehicle under permit without such identification card.

Sec. 27. It shall be unlawful for any "common carrier," "contract carrier," or "special carrier" to operate any motor vehicle within this state unless there shall be displayed and firmly fixed upon the front and rear of such vehicle an identification plate to be furnished by the department. Such plates shall be different in design for the different classes of permits, shall bear the number given to the vehicle by the department, and such other marks of identification as may be required, and, subject to the qualification hereinafter contained, shall be in addition to the regular license plates required by law. Such plates shall be issued annually and attached to each motor vehicle not later than January first of each year, or as soon thereafter as possible.

The department shall collect from the applicant a fee of one dollar for each pair of plates so issued, and all fees for such plates shall be deposited in the State Treasury to the credit of the public service revolving fund.

The directors of public service and licenses are authorized and may devise a combination license and identification plate. If they find that such a plate is practicable it shall be issued with the beginning of a calendar year and thereafter the plate fees specified by this act shall no longer be required.

The department may prescribe rules and regulations with respect to the use of the present identification plates issued heretofore for the calendar year 1935 to the end that duplication and unnecessary exchange of plates may be eliminated.

Sec. 28. Every "common carrier" and "contract carrier" and "special carrier" operating under the provisions of this act shall, between the first and fifteenth days of January, April, July and October of each year, file with the department a return showing the gross operating revenue of such carrier for the preceding three months, or portion thereof, and shall pay to the department a fee of one per cent of the amount of such gross operating revenue.

All moneys collected under this act, except the fees collected under Sections 35, 36, and 37 herein, are for the purpose of carrying out the provisions of this act, and shall be paid into the State Treasury at least monthly and credited to the public service revolving fund. The minimum fee paid by any such carrier under the provisions of this act for any such quarter will be fifty cents. There shall be added a penalty of ten per cent, but not less than fifty cents, to the sums payable under this section if the same are not paid within fifteen days of the time when delinquent.

The percentage rate of gross operating revenue to be paid as herein provided shall be subject to future adjustment by the department, which percentage, not exceeding one per cent, shall be fixed by the department by general order from time to time.

In fixing such rate the department shall take into consideration all moneys on hand paid in by such carriers to the end that the moneys collected hereunder shall be neither more nor less than sufficient to cover the cost of supervising and regulating carriers under this act. The director of Public Service and the Tax Commission may, if they find it practicable, arrange for the joint return and collection of said fee and any business or occupational tax imposed by law on said carriers, and for such purpose may alter the period for which returns are required as herein provided.

Sec. 29. The department is hereby empowered to administer and enforce all provisions of this act and to inspect the vehicles, books and documents of all "motor carriers" and the books, documents and records of those using the service of the carriers for the purpose of discovering all discriminations and rebates and other information pertaining to the enforcement of this act and shall prosecute violations thereof. The department shall employ such auditors, inspectors, clerks and assistants as it may deem necessary for the enforcement of this act, and it shall be the duty of the Washington State Patrol to assist in the enforcement of this act, and the duty of the Attorney General to assign at least one assistant to the exclusive duty of assisting the department in the enforcement of this act, and the prosecution of persons charged with the violation thereof. It shall be the duty of the sheriffs of the counties to make arrests and the county attorneys to prosecute violations of this act.

Sec. 30. In all respects in which the department has power and authority under this act, applications and complaints may be made and filed with it, process issued, hearings held, opinions, orders and decisions made and filed, petitions for rehearing

filed and acted upon, and petitions for writs of review to the superior court filed therewith, appeals or mandate filed with the supreme court of this state, considered and disposed of by said courts in the manner, under the conditions and subject to the limitations and with the effect specified in the Public Service Commission law of this state.

SEC. 31. Every person who violates or who procures, aids or abets in the violation of any provisions of this act, or who fails to obey any order, decision, rule or regulation of the department, or who procures or aids or abets any person in his failure to obey such order, decision, rule or regulation, shall be deemed guilty of a gross misdemeanor, and upon conviction shall be punished by a fine of not exceeding five hundred dollars (\$500.00), or imprisonment in the county jail for not more than one hundred and twenty (120) days, or both such fine and imprisonment. The officers of the department and the inspectors and auditors designated thereby and members of the Washington State Patrol shall have all of the lawful powers of peace officers to enforce this act in any county or city in this state.

Upon conviction of any person, firm or corporation for a second violation of this act, the court or judge before whom such conviction is had, shall, in addition to any other penalty imposed, suspend the certificate of registration covering the vehicle involved in such violation for a period of thirty days, and for a third or subsequent conviction, the court or judge shall, in addition to any other penalty imposed, suspend the permit of the owner of the vehicle involved in such violation for a period of three months. Each day's violation of this act or any order, decision, rule or regulation of the department shall constitute a separate offense.

SEC. 32. This act shall apply to persons and motor vehicles engaged in interstate commerce to the full extent permitted by the constitution and laws of the United States.

SEC. 33. The department is hereby authorized and directed to cooperate with the Federal Government and the Interstate Commerce Commission of the United States or any other commission or organization delegated or authorized to regulate interstate or foreign commerce by motor carriers to the end that the transportation of property by motor carriers in interstate or foreign commerce into and through the State of Washington may be regulated and the laws of the United States and the State of Washington enforced and administered cooperatively in the public interest.

SEC. 34. The department is hereby authorized to make agreements on behalf of the State of Washington with any other state or states providing for reciprocal rights, privileges and courtesies, between the licensees and permittees of the said state or states and the State of Washington regarding licenses and the transportation of property into or through the respective state or states and the State of Washington.

SEC. 35. Except as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected annually for each calendar year or fractional part thereof upon each vehicle a license fee in the sum of three dollars (\$3.00); and in addition thereto for each for-hire car three dollars (\$3.00) per seat for the seating capacity, thereof, and for each auto stage four dollars and fifty cents (\$4.50) per seat for the seating capacity thereof. There shall be paid for each calendar year or fractional part thereof by dealers' license five dollars (\$5.00), which shall include one set of dealer's license plates, and for additional sets in duplicate of the dealers' license but bearing appropriate distinguishing symbols, the sum of two dollars (\$2.00) for each additional set of two plates.

SEC. 36. In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck, trailer and semi-trailer, based upon the maximum gross weight thereof as set by the licensee in his application or otherwise, the following fees: 5,000 pounds or more and less than 10,000 pounds, \$10.00; 10,000 pounds or more and less than 15,000 pounds, \$18.00; 15,000 pounds or more and less than 20,000 pounds, \$45.00; 20,000 pounds or more and less than 25,000 pounds, \$90.00; 25,000 pounds or more and less than 30,000 pounds, \$150.00; 30,000 pounds or more, \$250.00: *Provided*, In case any such motor truck, trailer or semi-trailer shall be propelled by steam, electricity, natural gas or any inflammable petroleum product other than motor vehicle fuel, the foregoing schedule of fees shall be increased in each instance by fifty per cent (50%) thereof and paid in addition to any excise tax on such fuel: *Provided further*, The maximum gross weight in case of any motor truck, trailer or semi-trailer shall be the scale weight of such motor truck, trailer or semi-trailer unladen to which shall be added the maximum load to be carried

thereon as set by the licensee: *Provided further*, That the additional fee provided in this section shall not be collected on any motor truck, trailer or semi-trailer used only for the purpose of transporting any well drilling machine, air compressor, rock crusher, conveyor, hoist, wrecker, donkey engine, cook house, tool house, bunk house or similar machine or structure attached to or made a part of such motor truck or trailer: *Provided further*, That in lieu of the additional fee herein set forth for trailers of a carrying capacity in excess of 20,000 pounds the operation of which is carried on under special permit from the department of highways, there shall be paid a per diem fee of ten dollars (\$10.00) per day for each day's operation on the streets and highways within this state. The per diem fee shall be paid to the director of licenses in such a manner and at such time as he shall by general rules provide: *Provided further*, That every motor truck, trailer and semi-trailer shall have painted or stenciled upon the outside thereof in a conspicuous place in letters not less than two (2) inches high the maximum gross weight for which additional license fee has been paid therefor as provided in this section, and it shall be unlawful for the owner or operator of any such motor vehicle to display a maximum gross weight for which such vehicle is licensed other than that shown on the certificate of registration of such vehicle: *Provided further*, That it shall be unlawful for the owner or operator of any motor vehicle, truck or trailer, not licensed annually for hire to carry passengers therein for hire: *Provided further*, That the provisions of this section and Sections 35 and 37 shall become effective on the first day of December, 1935: *Provided further*, That the present fees for the licensing of vehicles shall remain in effect until the provisions of this section become effective.

SEC. 37. Any person who shall operate or cause to be operated upon any public highways of this state any motor truck, trailer or semi-trailer with a maximum gross weight in excess of that for which the same has been licensed shall be guilty of a misdemeanor. Any person who shall operate or cause to be operated upon any public highway of this state any motor truck, trailer or semi-trailer with a maximum gross weight in excess of the maximum gross weight for which the same has been licensed shall be deemed to have set a new maximum gross weight and shall in addition to any penalties otherwise provided be required to purchase additional license up to such new maximum gross weight and any such person who fails to secure such additional license shall be guilty of a misdemeanor: *Provided*, That this section shall not apply to for-hire vehicles or auto stages operating principally within incorporated cities and towns: *Provided further*, That no such person may be permitted or required to purchase additional license upon a gross weight which would exceed the maximum gross weight allowed by law. Any person violating any of the provisions of this section shall, upon a first conviction, pay a fine of not less than ten dollars (\$10.00) or more than twenty-five dollars (\$25.00); upon a second conviction pay a fine of not less than twenty-five dollars (\$25.00) or more than fifty dollars (\$50.00), and in addition the court may suspend the certificate of registration of such vehicle for not more than thirty days; upon a third and subsequent conviction pay a fine of not less than fifty dollars (\$50.00) or more than one hundred dollars (\$100.00), and in addition the court shall suspend the certificate of registration of such vehicle for not less than thirty or more than ninety days. Upon ordering the suspension of any such certificate of registration the court or judge so ordering shall forthwith secure such registration certificate and mail the same to the director of licenses. All moneys collected under Sections 35, 36, and this section shall be paid to the State Treasurer and credited to the Motor Vehicle Fund.

SEC. 38. It is hereby declared that the apportionment of special taxes among motor vehicles of various types should be placed upon a fair basis with respect to every phase of the use made of highways and with due reference to the administration, maintenance and construction of highways and the congestion caused thereby; it is further declared that there is not now a sufficient collection of data upon which the proper apportionment of such taxes may be based and that there is a need for continued scientific study with reference to the proper and fair special tax for each class of motor vehicle.

SEC. 39. There is hereby created and continued in existence a commission for the purpose hereinafter set forth, which commission shall be composed of three members, one of whom shall be the director of highways, the second a transportation engineer of reputable standing to be appointed by the Governor, and the third the director of public service.

SEC. 40. The said commission shall continue to make a study of facts upon which there may be based legislation providing for the proper apportionment of highway costs and a fair special tax to various types of motor vehicles using the highways according to all elements which may properly enter into a determination of the fair and proper taxation of each.

SEC. 41. The further study of the commission herein provided for shall supplement report of the Highway Cost Commission to the Legislature of 1935 and shall be submitted to each duly elected member of the Senate and the House of Representatives of the State of Washington not later than the first day of December, 1936, and shall bear recommendations and findings for legislation designed to accomplish the purpose of proper apportionment and taxation of cost to each type of motor vehicle.

SEC. 42. The commission is hereby authorized to employ the necessary engineers, clerks and other employees to carry out its purposes and is authorized to pay all expenses necessary in carrying out the purpose of this act together with the publication of its findings and reports, and for such purpose there is hereby appropriated from the motor vehicle fund the sum of twenty thousand dollars (\$20,000.00) or so much thereof as may be necessary for the purposes of the commission in the carrying out of this act.

SEC. 43. Persons operating under certificates of public convenience and necessity or permits issued under Chapter 166 of the Laws of 1933 and acts amendatory or supplemental thereto shall continue to operate under such permits and certificates in the same manner and to the same effect as if such rights were granted under the provisions of this act until such time as proper classification can occur. Applications for reclassification shall be made within sixty days from the effective date of this act.

SEC. 44. That Section 16 of Chapter 142, Session Laws of 1915, as amended by Section 11 of Chapter 155, Session Laws of 1917; Section 16 of Chapter 96, Session Laws of 1921, as amended by Section 2 of Chapter 181, Session Laws of 1923, as amended by Section 1 of Chapter 80, Session Laws of 1929; and Section 15 of Chapter 142, Session Laws of 1915, as amended by Section 10 of Chapter 155, Session Laws of 1917; Section 15 of Chapter 96, Session Laws of 1921, as amended by Section 1 of Chapter 140, Session Laws of 1931, as amended by Section 27 of Chapter 166, Session Laws of 1933, as amended by Section 11 of Chapter 55, Session Laws of Extraordinary Session of 1933, and Section 1 of Chapter 99 of the Laws of 1929 are hereby repealed, such repeal to become effective on December 1, 1935.

SEC. 45. The provisions of Sections 1 to 34, inclusive, and 43 hereof, shall be effective May 1, 1935, and Chapter 166 of the Laws of 1933, except Section 27 thereof, and Chapter 55 of the Laws of the Extraordinary Session of 1933, except Section 11 thereof, are hereby repealed; and the provisions of Chapter 111 of the Laws of 1921, or acts amendatory thereto which are in conflict with this act, are hereby superseded as to such conflicting provisions.

SEC. 46. The provisions of Sections 38 to 42, inclusive, hereof, shall be effective April 1, 1935.

SEC. 47. If any section, subsection, clause, sentence or phrase of this act is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this act, and the Legislature hereby declares it would have enacted this act if such section, subsection, clause, sentence, or phrase were omitted.

SEC. 48. This act is necessary for the immediate preservation of the public peace, health and safety, and support of the state government and its existing public institutions and its provisions shall take effect on the dates hereinabove set forth.

Strike the title and insert in lieu thereof the following:

AN ACT relating to the transportation of property by motor vehicle over the public highways of the State of Washington, providing for the supervision and regulation, and the payment of fees thereby; providing for joint rates by common carriers by rail, motor vehicle, express and water; providing for taxation of motor vehicles, defining offenses and providing penalties therefor; providing for and continuing a commission to determine fair and proper motor vehicle tax rates, defining its duties and making an appropriation therefor; prescribing the powers and duties

of certain officers, repealing certain acts and parts of acts, and declaring an emergency and providing the effective dates of the provisions of this act.

*Senate Members:*

S. C. ROLAND,  
J. P. KELLER,  
HORACE E. SMITH.

*House Members:*

RALPH VAN DYK,  
VIC SKINNER,  
CARL E. DEVENISH.

On motion of Senator Roland, the report of the free conference committee was adopted.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 483, as amended by the free conference committee, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dailey, Dawson, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Knutzen, Kyle, Lovejoy, Malstrom, Maxwell, McAulay, McMillan, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Ryan (Scott M.), Shorett, Smith, Tewksbury, Thein, Thomas, Todd, Worum—37.

Those voting nay were: Senators Murphy (Kebel), Nelson, Norman, Stinson—4.

Absent or not voting: Senators Drumheller, Duggan, Metcalf, Reardon, Steele—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:

**MESSAGES FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on the Senate amendments to Engrossed Substitute House Bill No. 420, and has granted the said committee the powers of free conference.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 206; also House Bill No. 148; also House Bill No. 413; also House Joint Memorial No. 23, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**REPORT OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 237, entitled: "An Act authorizing the State Capitol Committee to erect an office building on 'Capitol Place' and authorizing the Washington State Liquor Control Board to pay over to the State Capitol Committee from the Liquor Revolving Fund the sum of two hundred thousand dollars (\$200,000) for such purpose and as

within the act provided, and declaring an emergency," have compared same with the engrossed bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, W. J. Knutzen.

On motion of Senator Orndorff, the report of the committee was received.

The Secretary read:

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Conference Committee on Senate Joint Resolution No. 7, and House amendments thereto, and has granted the Committee powers of free conference.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

#### REPORT OF FREE CONFERENCE COMMITTEE.

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed Substitute House Bill No. 420, 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 certain emergencies, and for sundry civil expenses of the state government, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal biennium beginning April 1, 1935, and ending March 31, 1937, 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 Section 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 appropriation 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 three and 50/100 dollars (\$3.50) per diem for meals and lodgings: *And provided further*, That the sole compensation for personal automobiles used in connection with state business shall not exceed five cents (5c) 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.....	10,000.00	
Total.....		\$71,000.00

## FOR THE GOVERNOR'S MANSION:

Maintenance and furnishings of every kind, to be distributed on vouchers approved by the Governor...	\$12,000.00
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For the payment of warrants drawn for emergency purposes approved during the biennium April 1, 1935, to March 31, 1937, 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 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.....	\$62,960.00
Operations.....	22,950.00
Printing, advertising and mailing initiative and referendum measures and constitutional amendments..	50,000.00
Bureau of Statistics and Immigration.....	5,000.00
Total.....	\$140,910.00

## FOR THE STATE TREASURER:

Salaries and wages.....	\$50,800.00
Operations.....	15,714.00
For audit by Department of Finance, Business and Budget.....	5,000.00
Total.....	\$71,514.00

## FROM THE FISHERIES FUND.

Salaries and wages.....	\$14,200.00
Operations.....	4,150.00
Total.....	\$18,350.00

## FROM THE MOTOR VEHICLE FUND.

Salaries and wages.....	\$20,600.00
Operations.....	3,200.00
Total.....	\$23,800.00

## FROM THE GENERAL FUND.

## FOR THE STATE AUDITOR:

Salaries and wages.....	\$41,000.00
Operations.....	9,600.00
Special printing.....	1,500.00
Total.....	\$52,100.00

## FROM THE MOTOR VEHICLE FUND.

Salaries and wages.....	\$20,000.00
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## FROM THE GENERAL FUND.

## Division of Municipal Corporations:

Salaries and wages.....	\$18,328.00
Operations.....	4,088.00
Total.....	\$22,416.00

## FOR THE ATTORNEY GENERAL:

Salaries and wages.....	\$77,750.00
Operations.....	19,000.00
Court costs.....	20,000.00
Indexing Session Laws.....	450.00
Total.....	\$117,200.00

## FROM THE CURRENT SCHOOL FUND.

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION:		
Salaries and wages.....	\$66,000.00	
Operations .....	21,830.00	
To publish the Washington State Manual and other publications required by law.....	8,000.00	
Total.....		\$95,830.00

## FROM THE GENERAL FUND.

STATE LIBRARY:		
Salaries and wages.....	\$13,760.00	
Operations .....	4,050.00	
Total.....		\$17,810.00

FOR THE COMMISSIONER OF PUBLIC LANDS:		
Salaries and wages.....	\$130,000.00	
Operations .....	43,600.00	
Total.....		\$173,600.00

FOR THE INSURANCE COMMISSIONER:		
Salaries and wages.....	\$125,000.00	
Operations .....	45,000.00	
Total.....		\$170,000.00

FOR THE SUPREME COURT:		
Salaries and wages.....	\$170,200.00	
Operations .....	12,035.00	
Total.....		\$182,235.00

FOR THE SUPREME COURT REPORTER:		
Salaries and wages.....	\$14,500.00	
Operations .....	5,900.00	
Total.....		\$20,400.00

FOR THE SUPERIOR COURT JUDGES:		
Salaries and wages.....	\$263,000.00	
Operations .....	5,700.00	
Total.....		\$268,700.00

FOR THE ASSOCIATION OF SUPERIOR COURT JUDGES:		
Operations .....		\$5,000.00

FOR LEGISLATIVE EXPENSES:		
Printing, indexing, binding and editing Session Laws, Senate and House Journals, other legislative print- ing and binding public documents of the Twenty- fourth Session.....	\$15,000.00	
Indexing Senate and House Journals.....	700.00	
Total.....		\$15,700.00

## FROM THE STATE ATHLETIC FUND.

FOR THE STATE ATHLETIC COMMISSION:		
Salaries and wages.....	\$5,000.00	
Operations .....	3,835.00	
Total.....		\$8,835.00

## FROM THE GENERAL FUND.

FOR THE STATE CAPITOL COMMITTEE:		
Salaries and wages.....	\$7,500.00	
Operations .....	2,522.00	
For portrait of the Honorable Roland H. Hartley, as provided by Chapter 217, Laws of 1929.....	650.00	
Total.....		\$10,672.00

## FROM THE RECLAMATION REVOLVING FUND.

## FOR THE COLUMBIA BASIN COMMISSION:

Salaries, wages and operations.....		\$27,280.00
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## FROM THE CURRENT SCHOOL FUND.

## FOR THE STATE BOARD OF EDUCATION:

Salaries and wages.....	\$9,000.00	
Operations .....	1,900.00	
Total.....		\$10,900.00

## FOR THE STATE BOARD FOR VOCATIONAL EDUCATION:

Salaries and wages.....	\$16,075.00	
Operations .....	5,500.00	
To secure Federal Vocational Rehabilitation Fund....	25,719.04	
Total.....		\$47,294.04

## 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, providing for the promotion and development of vocational education.....	\$253,122.22	
To be expended in accordance with the provisions of Act of Congress approved June 2, 1920, and subsequent amendments, providing for civilian vocational rehabilitation .....	25,819.04	
Total.....		\$278,941.26

## FROM THE TEACHERS' RETIREMENT FUND.

## FOR THE STATE TEACHERS' RETIREMENT FUND:

Salaries and wages.....	\$12,000.00	
Operations .....	2,040.00	
For the payment of annuities, awards and refunds as provided by law (including deficiencies).....	417,000.00	
Total.....		\$431,040.00

## FROM THE GENERAL FUND.

## FOR THE STATE BOARD OF EQUALIZATION:

Operations .....		\$1,200.00
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## FOR THE STATE FINANCE COMMITTEE:

Salaries and wages.....	\$1,200.00	
Operations .....	550.00	
Total.....		\$1,750.00

## FOR THE JUDICIAL COUNCIL:

Salaries and wages.....	\$2,000.00	
Operations .....	1,600.00	
Total.....		\$3,600.00

## FOR THE STATE LAW LIBRARY:

Salaries and wages.....	\$14,000.00	
Operations .....	9,955.00	
Total.....		\$23,955.00

## FROM THE PARKS AND PARKWAY FUND.

## FOR THE STATE PARKS COMMITTEE:

Salaries, wages and operations.....		\$30,000.00
(Expenditures not to exceed receipts actually on hand and available for expenditure.)		

## FROM THE MILLERSYLVANIA PARK CURRENT FUND.

For improvement, maintenance and upkeep of Millersylvania Park.....	\$400.00
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## FROM THE GENERAL FUND.

## FOR THE WASHINGTON STATE PLANNING COUNCIL:

Salaries, wages and operations.....	\$10,000.00
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## FOR THE UNIFORM LAW COMMISSION:

Operations .....	\$500.00
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## FOR THE DEPARTMENT OF AGRICULTURE:

Salaries and wages.....	\$124,600.00	
Operations .....	92,350.00	
For eradication of bovine tuberculosis.....	25,000.00	
Washington State Fair:		
Salaries, wages and operations.....	20,000.00	
Total.....	_____	\$261,950.00

## FROM THE GRAIN AND HAY INSPECTION FUND.

Salaries and wages.....	\$248,800.00	
Operations .....	53,350.00	
Total.....	_____	\$302,150.00

## FROM THE COMMISSION MERCHANTS' FUND.

Salaries and wages.....	\$8,000.00	
Operations .....	11,950.00	
(Expenditures not to exceed fees heretofore or hereafter collected.)		
Total.....	_____	\$19,950.00

## FROM THE GAME FUND.

For the destruction of predatory animals.....	\$20,000.00
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## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF CONSERVATION AND DEVELOPMENT:

Salaries and wages.....	\$54,860.00
Operations .....	24,955.00

## FORESTRY DIVISION:

Salaries and wages.....	\$104,000.00	
Operations .....	30,000.00	
Emergency fire fighting.....	16,000.00	
(Provided, That the Supervisor of Forestry may purchase gasoline, oil and tires, and pay for repairs in lieu of mileage allowance for use of personally owned cars for Fire Wardens, such expenditures not to exceed five cents per mile traveled.)		
Total.....	_____	\$229,815.00

## FROM THE RECLAMATION REVOLVING FUND.

## Reclamation Division:

Salaries and wages.....	\$11,160.00
Operations .....	2,820.00
Geological survey .....	10,000.00
Hydrographical survey .....	20,000.00
Topographical survey.....	25,000.00
(Appropriations for Geological, Hydrographical and Topographical surveys contingent on allotment of equal amounts for said purposes by the Federal government.)	

To finance, refinance and purchase bonds of irrigation, reclamation, diking and drainage districts (To be expended in accordance with the provisions of Chapter 16, Laws of 1933, Regular Session) . . . . .	1,250,000.00	
(Expenditures from Reclamation Revolving Fund not to exceed cash on hand and available for expenditure.)		
Total . . . . .		\$1,318,980.00

## FROM THE FISHERIES FUND.

## FOR THE DEPARTMENT OF FISHERIES :

Salaries and wages . . . . .	\$200,000.00	
Operations . . . . .	98,296.00	
New egg taking operations . . . . .	18,000.00	
Research work . . . . .	50,000.00	
Total . . . . .		\$366,296.00

## FROM THE LEWIS RIVER HATCHERY FUND.

Salaries, wages and operations . . . . .	\$26,680.00
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## FROM THE OYSTER RESERVE FUND.

Improvement and protection of oyster reserves:	
Salaries, wages and operations . . . . .	\$7,700.00

## FROM THE GAME FUND.

## FOR THE DEPARTMENT OF GAME:

Salaries of State Game Commissioner . . . . .	\$4,800.00	
Salaries and wages . . . . .	474,000.00	
Operations . . . . .	521,200.00	
(Expenditures from the Game Fund not to exceed receipts on hand and available for expenditure.)		
Total . . . . .		\$1,000,000.00

## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF HEALTH :

Salaries and wages . . . . .	\$75,000.00	
Operations . . . . .	40,000.00	
Total . . . . .		\$115,000.00

## FROM THE FISHERIES FUND.

For industrial pollution studies . . . . .	\$8,500.00	
For oyster sanitation studies . . . . .	5,500.00	
Total . . . . .		\$14,000.00

## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF LABOR AND INDUSTRIES :

Salaries and wages . . . . .	\$300,000.00	
Operations . . . . .	118,250.00	
Total . . . . .		\$418,250.00

## FROM THE MEDICAL AID FUND.

Salaries and wages . . . . .	\$280,000.00	
Operations . . . . .	75,000.00	
Claims and awards and other expenses provided by law	2,000,000.00	
Total . . . . .		\$2,355,000.00

## FROM THE ACCIDENT FUND.

Claims and awards and other expenses provided by law	\$8,000,000.00
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## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF LICENSES:

Salaries and wages.....	\$64,000.00	
Operations .....	42,500.00	
Total.....		\$106,500.00

## FROM THE MOTOR VEHICLE FUND.

Salaries and wages.....	\$193,350.00	
Operations .....	220,250.00	
Liquid fuel tax refunds.....	3,000,000.00	
Total.....		\$3,413,600.00

## FROM THE PUBLIC SERVICE REVOLVING FUND.

## FOR THE DEPARTMENT OF PUBLIC SERVICE:

Salaries and wages.....	\$148,200.00	
Operations .....	30,650.00	
Regulation of Motor Vehicles:		
Salaries and wages.....	110,000.00	
Operations .....	65,160.00	
Special investigations and valuations.....	250,000.00	
(Expenditures not to exceed fees heretofore or hereafter collected, but in no event shall any warrant be drawn on the Public Service Revolving Fund in excess of actual cash on deposit in the State Treasury.)		
Total.....		\$604,010.00

## FROM THE GENERAL FUND.

## FOR THE TAX COMMISSION OF THE STATE OF WASHINGTON:

Salaries and wages.....	\$66,000.00	
Operations .....	9,950.00	
Special Investigation and Valuations:		
Salaries, wages and operations.....	92,000.00	
Inheritance Tax and Escheat Division:		
Salaries and wages.....	42,000.00	
Operations .....	6,350.00	
Total.....		\$216,300.00

## FROM THE CURRENT SCHOOL SUSPENSE FUND.

## Business and Occupational Tax Division:

Salaries and wages.....	\$130,200.00	
Operations .....	37,450.00	
Refunds as provided by law.....	50,000.00	
For the payment of interest and costs as provided by Section 28, Chapter 191, Laws of 1933, Regular Session, as amended by Chapter 10, Laws of 1933, Extraordinary Session, and acts amendatory thereto.....	50,000.00	
Total.....		\$267,650.00

## FROM THE CURRENT SCHOOL FUND.

For the payment of judgments as provided by Section 28, Chapter 191, Laws of 1933, Regular Session, as amended by Chapter 10, Laws of 1933, Extraordinary Session, and acts amendatory thereto.....

\$2,000,000.00

## FROM THE GENERAL FUND.

## FOR THE WASHINGTON STATE PATROL:

Salaries and wages.....	\$388,060.00	
Operations .....	363,479.80	
<i>(Provided, That all amounts charged against the Liquor Control Board for services rendered by the State Patrol shall be paid into the General Fund of the State Treasury.)</i>		
Total.....		\$751,539.80

## FROM THE MOTOR VEHICLE FUND.

Salaries, wages and operations.....	\$75,000.00
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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.....	\$83,760.00	
Operations .....	18,470.00	
Division of Budget:		
Salaries and wages.....	57,600.00	
Operations .....	15,000.00	
Division of Banking:		
Salaries and wages.....	79,000.00	
Operations .....	28,050.00	
Division of Savings and Loan:		
Salaries and wages.....	43,000.00	
Operations .....	22,750.00	
Capitol Buildings and Grounds:		
Salaries and wages.....	137,310.00	
Operations (including deficiencies).....	83,790.00	
Parole, Transportation and Deportation Departments:		
Salaries and wages.....	47,394.00	
Operations .....	66,155.00	
For carrying out the provisions of House Bill No. 285:		
Salaries and wages.....	28,000.00	
Operations .....	25,000.00	
Archives:		
Salaries and wages.....	2,560.00	
Operations .....	2,300.00	
Total.....		\$740,139.00
State School for the Blind:		
Salaries and wages.....	\$53,761.00	
Operations .....	46,215.00	
Total.....		\$99,976.00
State Custodial School:		
Salaries, wages and operations.....		\$450,632.00
State School for the Deaf:		
Salaries and wages.....	\$62,280.00	
Operations .....	59,620.00	
Total.....		\$121,900.00
Eastern State Hospital:		
Salaries, wages and operations.....	\$693,222.00	
Land purchase.....	8,500.00	
Total.....		\$701,722.00
State School for Girls:		
Salaries and wages.....	\$40,850.00	
Operations .....	39,515.00	
Total.....		\$80,365.00
Northern State Hospital:		
Salaries, wages and operations.....		\$634,596.00
Washington State Penitentiary:		
Salaries, wages and operations.....		\$616,000.00

## FROM THE PENITENTIARY REVOLVING FUND.

Industrial Operations:			
Salaries and wages.....	\$44,844.00		
Operations .....	226,385.00		
New industries.....	50,000.00		
Total.....			\$321,229.00

## FROM THE GENERAL FUND.

Washington State Reformatory:			
Salaries and wages.....	\$76,560.00		
Operations .....	199,060.00		
Total.....			\$275,620.00

## FROM THE REFORMATORY REVOLVING FUND.

Industrial Operations:			
Salaries and wages.....	\$28,210.00		
Operations .....	29,208.00		
New industries.....	25,000.00		
Total.....			\$82,418.00

## FROM THE GENERAL FUND.

State Soldiers' Home and Colony:			
Salaries, wages and operations.....			\$177,343.00
State Training School:			
Salaries and wages.....	\$72,500.00		
Operations .....	103,495.00		
Total.....			\$175,995.00
Washington Veterans Home:			
Salaries, wages and operations.....			\$255,680.00
Western State Hospital:			
Salaries, wages and operations.....			\$869,980.00
For the Department of Public Welfare:			
Division of Child Welfare:			
Salaries and wages.....	\$9,120.00		
Operations .....	925.00		
Total.....			\$10,045.00

## FROM THE UNIVERSITY OF WASHINGTON FUND.

## FOR THE UNIVERSITY OF WASHINGTON:

Salary of the President.....	\$20,000.00		
Salaries and wages.....	2,521,923.13		
Operations .....	600,582.80		
Total.....			\$3,142,505.95
Salaries, wages and operations.....			\$250,000.00
(To be allocated by the Governor quarterly at the end of each quarter to the University of Washington on the basis of \$41.66 per student per quarter for each student in attendance during said quarter above 8,000 students, as shown by the certificate of the Registrar of the University of Washington.)			

## FROM THE WASHINGTON STATE COLLEGE FUND.

## FOR THE STATE COLLEGE OF WASHINGTON:

Salary of the President.....	\$20,000.00		
Salaries and wages.....	1,333,797.58		
Operations .....	323,287.82		
Total.....			\$1,677,085.40

## FROM THE COLLEGE FUND.

Salaries, wages and operations.....		\$100,000.00
FOR THE STATE COLLEGE OF WASHINGTON:		
From the Morrill Fund.....	\$101,200.00	
From the Federal Experiment Station Fund.....	189,510.00	
From the Federal Cooperative Agricultural Extension Fund .....	253,770.00	
To be expended in accordance with the purposes, terms, provisions and conditions of the respective Acts of Congress for the endowment and granting of money to agricultural colleges and experiment stations .....		\$544,480.00
FOR THE BELLINGHAM STATE NORMAL SCHOOL:		
From the Normal School Current Fund....	\$29,500.00	
From the Bellingham Normal School Fund..	\$409,400.00	
Salaries and wages.....	\$385,500.00	
Operations .....	53,400.00	
Total.....		\$438,900.00
FOR THE CHENEY STATE NORMAL SCHOOL:		
From the Normal School Current Fund....	\$29,500.00	
From the Cheney Normal School Fund.....	\$352,639.00	
Salaries and wages.....	\$350,500.00	
Operations .....	54,668.00	
Total.....		\$405,168.00

## FROM THE GENERAL FUND.

To reimburse the Normal School Dormitory Funds for the purchase of land.....		\$14,321.68
FOR THE ELLENSBURG STATE NORMAL SCHOOL:		
From the Normal School Current Fund....	\$29,500.00	
From the Ellensburg Normal School Fund..	\$293,750.00	
Salaries and wages.....	\$282,500.00	
Operations .....	40,750.00	
Total.....		\$323,250.00

## FROM THE GENERAL FUND.

FOR THE MILITARY DEPARTMENT:		
Salaries and wages.....	\$158,400.00	
Operations .....	100,035.00	
Retained pay.....	29,000.00	
For uniform allowance.....	22,300.00	
Total.....		\$309,735.00
FOR THE WASHINGTON STATE HISTORICAL SOCIETY:		
Salaries and wages.....	\$9,600.00	
Operations .....	1,795.00	
Total.....		\$11,395.00

## FROM THE CAPITOL BUILDING CONSTRUCTION FUND.

For bond retirement and interest (including deficiencies) ..		\$633,625.00
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## FROM THE GENERAL FUND.

For the care of graves, Spanish War Veterans.....		\$200.00
For court costs in insanity cases.....		\$5,000.00
For criminal cost bills (including deficiencies).....		\$45,000.00

## FROM THE CURRENT SCHOOL FUND.

To carry out provisions of Section 4935, Rem. Comp. Stat..	\$30,560,475.00
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## FROM THE FOREST RESERVE FUND.

For distribution of moneys received from the Federal Government for Forest Reserves as provided by Chapter 185, Laws of 1907.....	\$200,000.00
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FROM THE GENERAL OBLIGATION BONDS OF 1933  
RETIREMENT FUND.

For bond retirement and interest.....	\$1,583,490.00
To carry out the provisions of Senate Bill No. 152.....	500,000.00
Total.....	\$2,083,490.00

## FROM THE HARBOR IMPROVEMENT FUND.

For distribution in accordance with Chapters 168, 169 and 170, Laws of 1913, based on receipts.....	\$135,000.00
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## FROM THE OLD AGE PENSION FUND.

For distribution to counties in accordance with Chapters 29 and 55, Laws of 1933, regular session (disbursements not to exceed receipts).....	\$250,000.00
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## FROM THE GENERAL FUND.

For Presidential Electors.....	\$300.00
For Tuberculosis Hospitals (including deficiencies).....	\$400,000.00

## FROM THE VETERANS' COMPENSATION BOND RETIREMENT FUND.

For bond retirement and interest.....	\$1,040,000.00
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## FROM THE MOTOR VEHICLE FUND.

To create the Highway Equipment Fund.....	\$250,000.00
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## FOR CAPITAL OUTLAYS AND MAJOR REPAIRS:

To be expended independently of, or in conjunction with, funds allotted by the Federal, County or Municipal Governments or Agencies or in conjunction with funds allotted for unemployment relief: *Provided*, That the following appropriations shall become available only upon written approval of the Governor.

## FROM THE CAPITOL BUILDING CONSTRUCTION FUND.

## FOR THE STATE CAPITOL COMMITTEE:

Completion of Soldiers' Monument.....	\$15,000.00
Base of Soldiers' Monument.....	15,000.00
Purchase of Shorelands.....	2,000.00

## FROM THE PARKS AND PARKWAY FUND.

## FOR THE STATE PARKS COMMITTEE:

State Parks, including purchase and additions to Rosario State Park .....	\$10,000.00
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## FROM THE FISHERIES FUND.

## FOR THE DEPARTMENT OF FISHERIES:

Capital outlays and major repairs.....	\$78,750.00
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## FROM THE GAME FUND.

## FOR THE DEPARTMENT OF GAME:

Capital outlays and major repairs.....	\$64,500.00
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## FROM THE GENERAL FUND.

## FOR THE DEPARTMENT OF FINANCE, BUDGET AND BUSINESS:

Repairs to Governor's Mansion, and furnishings.....	\$6,000.00
Replacement of light fixtures.....	2,000.00
Permanent partition, Auditor's Office.....	1,100.00
Replacement of awnings.....	500.00
Interior painting, Legislative Building.....	5,000.00
Repairs, renewals and furnishings.....	4,000.00
Renewal of rugs, carpets and drapes, Temple of Justice State School for the Blind:	1,000.00
Dormitory, class rooms and alterations.....	40,000.00
Boiler House, boiler and equipment.....	25,000.00
State Custodial School:	
Dormitories for working crews.....	40,000.00
Chapel and school rooms, laundry alterations.....	50,000.00
Eastern State Hospital:	
Ward Buildings, remodeling and alterations.....	280,000.00
Completion and equipment for receiving and observation wards .....	25,000.00
Employees' dormitories .....	15,000.00
Barns and sheds.....	5,000.00
Grading, paving and entrance gates.....	25,000.00
Northern State Hospital:	
Receiving wards, alterations and equipment.....	225,000.00
Washington State Penitentiary:	
Extension of inmates' dining room, kitchen, cold storage and chapel.....	75,000.00
Water tank, foundation and piping.....	10,000.00

## FROM THE PENITENTIARY REVOLVING FUND.

Wall enclosing new power house.....	10,000.00
Moving and reinstalling two boilers.....	6,500.00

## FROM THE REFORMATORY REVOLVING FUND.

Washington State Reformatory:	
Wall around inner court.....	25,000.00

## FROM THE GENERAL FUND.

State Soldiers' Home and Colony:	
Power house, replace boilers, installation of mechanical stokers, replacing steam lines and recovering..	50,000.00
Barracks and employees' dormitories.....	100,000.00
Washington Veterans' Home:	
Fireproof building to replace frame building.....	100,000.00
Auxiliary well, equipment, tank and pipe.....	4,500.00
Western State Hospital:	
Capital outlays, betterments and major repairs, including ward buildings, chapel, cold storage, kitchen, dining rooms, officers' quarters, well, hog houses, sheds and male receiving ward.....	400,000.00

## FROM THE MOTOR VEHICLE FUND.

For the Department of Highways:	
Capital outlays .....	170,000.00

## FROM THE UNIVERSITY OF WASHINGTON BUILDING FUND.

For the University of Washington:	
New recitation and/or laboratory building and/or buildings and equipment.....	660,000.00

FROM THE STATE COLLEGE OF WASHINGTON BUILDING FUND.

For the State College of Washington:

Equipping and furnishing new science and chemistry buildings..... 72,000.00

FROM THE COLLEGE FUND.

Classroom laboratory, gymnasium building or buildings ..... 150,000.00

FROM THE GENERAL FUND.

For the Bellingham State Normal School:

New athletic field ..... 6,000.00  
 Physical education building and equipment..... 200,000.00  
 Replacing roof on main building..... 12,500.00

For the Cheney State Normal School:

Training school building and equipment..... 255,000.00  
 Underground heating line conduit system..... 10,000.00

For the Ellensburg State Normal School:

Metal book stacks in Library..... 1,500.00  
 Furnishings and seating equipment in auditorium.... 23,950.00  
 Shops, classroom and auditorium..... 203,151.00

For the Military Department:

Major repairs and betterments to armories..... 11,360.00

For the Washington State Historical Society:

Completion of front of building, work room and upper story ..... 25,824.80  
 Furniture and fixtures for added rooms..... 3,000.00

Total capital outlays and major repairs..... \$3,520,135.80

Senate Members:

JOHN H. FERRYMAN,  
 ED. PEIRCE,  
 GEO. H. GANNON.

House Members:

A. E. EDWARDS,  
 DEWOLFE EMORY,  
 DR. DAVID COWEN.

On motion of Senator Lovejoy, the report of the free conference committee was adopted.

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 420, as amended by the free conference committee, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Farquharson, Ferryman, Gannon, Garrett, Keller, Kerstetter, Lovejoy, Malstrom, Maxwell, Metcalf, Miller, Murphy (James A.), Nelson, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Smith, Tewksbury, Thein, Worum—25.

Those voting nay were: Senators Brunton, Dawson, Duggan, Knutzen, Kyle, McAulay, Morrow, Murfin, Murphy (Kebel), Norman, Roland, Ryan (Scott M.), Thomas—13.

Absent or not voting: Senators Drumheller, McMillan, Mehner, Reardon, Shorett, Steele, Stinson, 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.

The Secretary read:

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Substitute House Bill No. 483, and passed the bill as amended by the said committee.  
 S. R. HOLCOMB, Chief Clerk.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House requests that the Senate appoint a new Conference Committee on the House amendments to Senate Joint Resolution No. 7. S. R. HOLCOMB, *Chief Clerk*.

Senator Murphy (Kebel) moved that the present conference committee on Senate Joint Resolution No. 7 be discharged of further consideration of said resolution and that a new committee be appointed as requested by the House.

The motion by Senator Murphy (Kebel) carried.

The Secretary read:

## . MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed House Bill No. 552, and the same is herewith transmitted. S. R. HOLCOMB, *Chief Clerk*.

The President signed House Joint Memorial No. 23, House Bill No. 413, House Bill No. 552, House Bill No. 148 and Senate Bill No. 287.

The Secretary read:

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has passed Engrossed Substitute Senate Bill No. 305, with the following amendments:

In Section 2, page 9, line 29½ of the substitute bill, being page 9 of the mimeographed bill, after line 29, and before the words "From the General Fund," insert the following:

C. C. HUNT, tax improperly collected on fish.....	\$51.72
J. S. L. BENNETT, for injuries sustained while driving commandeered car....	128.00
DEALO PAYTON, for disability incurred while an enlisted man in the Washington National Guard .....	1,500.00
ADMINISTRATOR W. W. A. of the estate of KARL ROALD, deceased, for inheritance tax paid by mistake.....	33.41
SAMUEL TRENHOLM, for injuries sustained in extrahazardous industry.....	1,000.00
ESTATE OF ELIZABETH WILLIAMS, for overpayment of inheritance taxes.....	150.00
WESTERN WAHKIAKUM COUNTY TELEPHONE Co., for damages to its equipment in construction of State Highway No. 12.....	300.00
ELMA LARSON, for compensation for death of her husband, Louis Larson....	3,000.00
FOR HOLDERS OF LEWIS COUNTY CURRENT EXPENSE FUND WARRANTS Numbers 21334, 21335, 21336, 21337, 21338, 21339, 21340, 21341, 21342 and 21343, issued October 4, 1909, in full settlement of interest and principal.....	5,000.00
CHRIS REEPFLOEG, for money erroneously paid for purchase of shore lands of the second class on Angle Lake.....	220.25
ANGIE B. COLLINS, individually, an undivided one-half interest, and ANGIE B. COLLINS, JOHN FRANCIS COLLINS and R. L. HODGDON, as executors and trustees of the last will and testament of John Collins, deceased, for money erroneously paid for purchase of shore lands of the second class on Angle Lake .....	536.50
FRED KNUTSON, for injuries sustained in extrahazardous occupation.....	2,000.00
WILLIAM E. BEST, for money erroneously paid in purchase of shore lands of the second class on Pine Lake.....	62.92
STUART FINELY, for injuries and damages sustained through negligence of Ralph Loudin, an employee of the State of Washington.....	3,250.00
J. F. JACKSON, for injuries and damages sustained through negligence of Ralph Loudin, an employee of the State of Washington.....	500.00

DOYLE WILLIAMS and DOLLIE WILLIAMS, for injuries and damages sustained in collision with a state highway road drag and in full satisfaction of judgment for damages and costs against Willard Brown, an employee of the State of Washington.....	\$1,400.00
GEORGE JARGER, for damages sustained through loss of his right eye.....	1,080.00
HERBERT HOPKINS, for injuries sustained while working in the Tribune Printing Company .....	246.20
MRS. WHITNEY C. CLOSE, in compensation for the death of her husband, an officer of the Washington National Guard, killed in the line of duty....	5,000.00
MRS. GEORGE E. HALLETT, in compensation for the death of her husband, an officer of the Washington National Guard, killed in the line of duty.....	5,000.00
CHARLES E. NYLUND and DAGMAR MARIE NYLUND, his wife, for injuries to property suffered as a result of the failure of a culvert in State Road No. 9, to accommodate flood waters.....	1,400.00
LEWIS COSTELLO, for court costs in case in which judgment in favor of the State of Washington was reversed.....	275.35
MAY RIPLEY, for injuries sustained while employed at the State Custodial School .....	444.50
WALTER DELANEY, for judgment in case of State of Washington v. Walter Delaney, which judgment has been assigned to Nels Paulson of Spokane.....	92.45
FRANK BIRKENFELD, for money erroneously paid the State for purchase of timber .....	4,908.78
GUY ALLOWAY and MAY ALLOWAY, his wife, for loss of home by execution sale due to failure of commissioned notary public to affix her official seal to declaration of homestead.....	1,000.00
FRANK J. BRYIS, for cattle slaughtered because of Bovine Tuberculosis infection .....	80.44
R. G. PIERCE, for injuries sustained in the employ of the Inter-County River Improvement Company, compensation for which has been denied.....	500.00
C. PAT HOOPER, for compensation for injuries sustained while serving as Sergeant-at-Arms of the House of Representatives.....	140.00

In Section 2, page 15, line 4½ of the substitute bill, being page 15 of the mimeographed bill, after line 4, and before the words "From the Motor Vehicle Fund," insert the following:

S. A. MOCERI, for overpayment of gasoline tax.....	\$597.75
L. ROMANO ENGINEERING COMPANY, a corporation, for overpayment of gasoline tax .....	1,282.45
NORTHWESTERN CONSTRUCTION COMPANY, for overpayment of heavy duty trailer license fee .....	405.00
HARVEY HALL, for damages to personal automobile while on the service of the state .....	250.00
WILLIAM SHELTON, for damages sustained through negligent operation of a truck owned by the state .....	300.00
INEZ FERGUSON, for refund of tax on 1700 gallons of gasoline lost.....	85.00
CITY OF PORT ORCHARD, for damages to water system of the city of Port Orchard .....	1,127.00
D. P. SHREWSBERRY, for damage to crops and lands in construction of a state highway .....	2,715.00

In Section 2, page 17, line 6½, of the substitute bill, being page 17 of the mimeographed bill, after line 6, and before the words, "From the Accident Fund," insert the following:

For repairs to State Salmon Hatcheries damaged or destroyed by flood condition .....	\$20,000.00
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In Section 2, page 17, line 10½, of the substitute bill, being page 17 of the mimeographed bill, after line 10, and before the words, "From the University of Washington Building Fund," insert the following:

#### FROM THE GAME FUND.

EDWARD J. FLAVIN, for injuries sustained through the negligence of a game protector .....	\$1,000.00
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## FROM THE GENERAL FUND.

DR. FREDERICK L. SCHEYER, for services to Department of Labor and Industries .....	\$107.00
For the printing and publication of 150 volumes of the Washington Constitutional Convention proceedings .....	1,500.00
FOR THE ATTORNEY GENERAL, for enforcement of national and state laws relating to labor and employment—	
Salaries and Wages .....	\$4,800.00
Court costs, Extra legal fees and briefs.....	2,500.00
Total .....	7,300.00

MASONIC CEMETERY, Thurston County Washington, for perpetual maintenance of graves of veterans buried in said cemetery in lots now owned by the State of Washington .....	3,500.00
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(Before said amount shall be paid the Masonic Cemetery shall remove the concrete walk and concrete curbing now in place around the lots owned by the State of Washington in said Masonic Cemetery and shall also, after the removal of said walk and curbing, re-seed the lawns and place said cemetery lots in first class condition.)

Amend Section 2, page 23 of the mimeographed bill by adding thereto the following item:

HERBERT H. LUCE—by reason of expenditures made upon a mining lease erroneously issued by the State Land Commissioner which lease was subsequently cancelled .....	\$2,743.50
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Amend Section 2, page 23 of the mimeographed bill, after the last line insert the following:

There is hereby appropriated from the general fund \$15.38 for the relief of A. L. Smalley Estate, overpayment of inheritance tax.

There is hereby appropriated from the game fund of the State of Washington the sum of \$21.00 for the relief of Dorothy Fairweather, over-remittance on sale of game licenses.

and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

Senator Peirce moved that the Senate do not concur in the House amendments to Engrossed Substitute Senate Bill No. 305 and ask the House to recede therefrom.

The motion by Senator Peirce carried.

The Secretary read:

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Substitute House Bill No. 420, and passed the bill as amended by the said Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk*.

The President appointed as new members of the conference committee on Senate Joint Resolution No. 7, Senators Ryan (Scott M.), Tewksbury and Keller.

The Secretary read:

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House refuses to recede from its amendments to Engrossed Substitute Senate Bill No. 305, and asks the Senate for a Conference Committee thereon.

S. R. HOLCOMB, *Chief Clerk*.

Senator Ferryman moved that the request of the House be granted and that a Conference Committee be appointed on Engrossed Substitute Senate Bill No. 305.

The motion by Senator Ferryman carried.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has appointed as members of a new conference committee on Senate Bill No. 159, Representatives Gardner, Leber and Herren.

S. R. HOLCOMB, *Chief Clerk*

The President appointed as members of the conference committee on Engrossed Substitute Senate Bill No. 305, Senators Gannon, Peirce and Ferryman.

The Secretary read:

**REPORT OF CONFERENCE COMMITTEE.**

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Senate Joint Resolution No. 7: "Providing for the submission to the electors of the state of a constitutional amendment amending Section 1 of Article VII, of the Constitution of the State of Washington relating to taxation," 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:*

SCOTT M. RYAN,  
J. P. KELLER,  
L. E. TEWKSBURY.

*House Members:*

ROBERT F. MURRAY,  
RICHARD B. OTT,  
A. E. HOLT.

On motion of Senator Reardon the report of the conference committee was adopted and the powers of free conference granted.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has appointed Representatives Edwards, Emory and Cowen as members of a conference committee on Engrossed Substitute Senate Bill No. 305 and House amendments thereto; also

The House has adopted the report of the Conference Committee on Senate Bill No. 159, and House amendment thereto, and passed the bill without the House Amendment; said bill, together with copy of the Conference Committee report is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

The Secretary read:

**REPORT OF CONFERENCE COMMITTEE.**

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Senate Bill No. 159, entitled: "An Act giving and granting additional powers to the commissioners of drainage districts, defining same within the meaning of this act, providing for the extension, improvement, and betterment of the systems therein and for the protection of such district, providing for the levy and collection of assessments against land within the boundaries of said district, granting the right of eminent domain, and pro-

viding procedure for the accomplishing of all such purposes, and declaring that this act shall take effect immediately," have had the same under consideration, and we recommend that the House recede from its amendment to said bill.

*Senate Members:*

W. J. KNUTZEN,  
GEO. F. MCAULAY,  
JOHN F. WORUM.

*House Members:*

JOSEPH GARDNER,  
ERNEST R. LEBER,  
HUGH HERRREN.

On motion of Senator Lovejoy, the report of the conference committee was adopted.

The Secretary read:

**REPORT OF CONFERENCE COMMITTEE.**

.OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Conference Committee, to whom was referred Engrossed Substitute Senate Bill No. 305, entitled: "An Act making appropriations for the purchase of land, construction of buildings and improvement 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 officers, for the relief of certain individuals, corporations, counties and municipalities, 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 1st, 1935, and ending March 31st, 1937, except as otherwise provided, and providing 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:*

JOHN H. FERRYMAN,  
ED. PEIRCE,  
GEO. H. GANNON.

*House Members:*

A. E. EDWARDS,  
DEWOLFE EMORY,  
DR. DAVID C. COWEN.

On motion of Senator Peirce, the report of the Conference Committee was adopted and the powers of free conference granted.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Substitute House Bill No. 420 and the same is herewith transmitted; also

The House has adopted the report of the Conference Committee on Engrossed Substitute Senate Bill No. 305 and the House amendments thereto, and has granted the said Committee the powers of free conference; also

The House has adopted the report of the Free Conference Committee on Senate Joint Resolution No. 7, and has passed the said Resolution as amended by the said Free Conference Committee; and said Resolution, together with copy of the report, is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**REPORT OF FREE CONFERENCE COMMITTEE.**

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Senate Joint Resolution No. 7: "Providing for the submission to the electors of the state of a constitutional amendment amending Section 1 of Article VII, of the Constitution of the State of Washington relating to taxation," have had the same under consideration, and we recommend that the same be amended to read as follows:

Strike the whole thereof and insert in lieu thereof the following:

"Providing for the submission of a proposal to amend the Constitution of the State of Washington with respect to the subject of taxation and assessments; striking Section 12 of Article XI and amending Section 1 and Section 9 of Article VII thereof.

"BE IT RESOLVED, By the Senate and House of Representatives of the State of Washington in legislative session assembled:

"That at the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1936, there shall be submitted to the qualified electors of this state for their approval and ratification, or rejection, a proposal to amend the Constitution of the State of Washington as follows:

"Section 12 of Article XI is hereby repealed and Section 1 and Section 9 of Article VII are amended to read as follows:

"SECTION 1. The powers 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. Nothing contained in this section shall be construed to prevent the enactment of a graduated net income tax law.

"SEC. 9. The legislature may vest the corporate authorities of cities, towns and villages with power to make local improvements by special assessment, or by special taxation of property benefited. \* \* \* \* The legislature shall have no power to require the levy and collection of taxes by counties, cities, towns or other municipal corporations for county, city, town or other municipal purposes, but for all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, subject to such restrictions as the legislature may impose; \* \* \* \* such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

"AND BE IT FURTHER RESOLVED, That the Secretary of State shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county where a newspaper is published throughout the state."

*Senate Members:*

SCOTT M. RYAN,  
J. P. KELLER,  
L. E. TEWKSBURY.

*House Members:*

ROBERT F. MURRAY,  
RICHARD B. OTT,  
A. E. HOLT.

Senator Peirce moved that the report of the free conference committee be adopted.

The motion by Senator Peirce carried.

The Secretary called the roll on the final passage of Senate Joint Resolution No. 7, as amended by the free conference committee, and it was adopted by the following vote:

Those voting aye were: Senators Bengtson, Dailey, Farquharson, Ferryman, Gannon, Keller, Kerstetter, Kyle, Lovejoy, Malstrom, Mehner, Miller, Morrow, Murfin, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Orndorff, Peirce, Roland, Ronald, Ryan (J. H.), Shorett, Smith, Steele, Stinson, Tewksbury, Thein, Thomas, Worum—32.

Those voting nay were: Senators Barnes, Brunton, Dawson, Drumheller, Duggan, Garrett, Knutzen, McAulay, McMillan, Todd—10.

Absent or not voting: Senators Maxwell, Metcalf, Reardon, Ryan (Scott M.)—4.

The resolution, having received the constitutional majority, was declared passed.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Substitute House Bill No. 483, 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 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Bill No. 159, entitled: "An Act giving and granting additional powers to the commissioners of drainage districts, defining same within the meaning of this act, providing for the extension, improvement, and betterment of the systems therein and for the protection of such district, providing for the levy and collection of assessments against land within the boundaries of said district, granting the right of eminent domain, and providing procedure for the accomplishing of all such purposes, and declaring that this act shall take effect immediately," have compared same with the engrossed bill and find it correctly enrolled. Respectfully submitted,  
W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, C. Nifty Garrett.

On motion of Senator Orndorff the report of the committee was received. The President signed House Bill No. 483, Senate Bill No. 159 and Substitute House Bill No. 420.

Senator Morrow moved that the Senate resolve itself into a committee of the whole for the purpose of correcting the Senate amendments to Engrossed House Bill No. 237.

Senator Lovejoy moved that the motion by Senator Morrow be laid on the table.

Senators Miller, Thomas, Dailey, Ryan (J. H.), Farquharson, Kyle, Morrow and Gannon demanded a roll call on the motion by Senator Lovejoy.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Lovejoy and the motion carried by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dawson, Drumheller, Duggan, Ferryman, Garrett, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Orndorff, Ronald, Smith, Steele, Stinson, Thein, Todd, Worum—20.

Those voting nay were: Senators Brunton, Dailey, Farquharson, Kerstetter, Kyle, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—17.

Absent or not voting: Senators Gannon, Keller, Maxwell, Metcalf, Murfin, Norman, Nugent, Reardon, Shorett—9.

Senator Mehner gave notice that at the proper time he would move to reconsider the vote by which Senate Joint Resolution No. 7 passed the Senate.

Senator Peirce moved that the Senate reconsider the vote by which Senate Joint Resolution No. 7 passed the Senate.

Senator Miller moved that the motion by Senator Peirce be laid on the table.

Senators Miller, Ryan (J. H.), Kyle, Tewksbury, Dailey, Morrow, Roland and Kerstetter demanded a roll call on the motion by Senator Miller.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Miller and the motion carried by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Dailey, Farquharson, Ferryman, Keller, Kerstetter, Kyle, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Shorett, Stinson, Tewksbury, Thein, Thomas, Todd, Worum—26.

Those voting nay were: Senators Dawson, Duggan, Garrett, Knutzen, Lovejoy, McAulay, McMillan, Mehner, Orndorff, Ronald, Smith, Steele—12.

Absent or not voting: Senators Brunton, Drumheller, Gannon, Maxwell, Metcalf, Murfin, Nugent, Reardon—8.

The Secretary read:

#### REPORT OF FREE CONFERENCE COMMITTEE.

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed House Bill No. 237, entitled: "An Act relating to revenue and taxation; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in business activities; providing for the levy and collection of a tax or excise upon retail sales; providing for levy and collection of tax upon admissions to any place; providing for levy and collection of tax upon inheritances and gifts; providing for tax upon liquor; providing for tax upon stock transfers; providing for tax upon persons operating commercial radio stations; providing the necessary administrative machinery for the collection and enforcement thereof; providing for certain exemptions and deductions; declaring certain acts in connection therewith unlawful and providing penalties; making appropriations; providing for the distribution of revenue derived hereunder; providing for shortening the operative period of Chapter 191, Laws of 1933, as amended; providing for the amendment of Sections 1, 2, 8, 12, 13, 15 and 18, Chapter 55, Laws of 1901, as amended, Section 4, Chapter 146, Laws of 1917, as amended, Section 95, Chapter 156, Laws of 1917, as amended, Section 5, Chapter 203, Laws of 1929, and Sections 4 and 7, Chapter 134, Laws of 1931; providing for the repeal of Section 1, Chapter 135, Laws of 1929, Sections 1 and 2, Chapter 202, Laws of 1929, as amended, and Section 1, Chapter 134, Laws of 1931; declaring an emergency and 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 the bill by striking all the matter following the enacting clause and inserting in lieu thereof the following:

#### TITLE I. INTRODUCTORY PROVISIONS.

SECTION 1. The provisions of this Act are herein classified and designated as follows:

- Sections 1 to 3, inclusive: Title I. Introductory Provisions.
- Sections 4 to 15, inclusive: Title II. Business and Occupation Tax.
- Sections 16 to 30, inclusive: Title III. Tax on Retail Sales.
- Sections 31 to 35, inclusive: Title IV. Compensating Tax.
- Sections 36 to 43, inclusive: Title V. Public Utility Tax.
- Sections 44 to 50, inclusive: Title VI. Admissions Tax.
- Sections 51 to 52, inclusive: Title VII. Liquor Tax.
- Sections 53 to 60, inclusive: Title VIII. Tax on Conveyances.
- Sections 61 to 73, inclusive: Title IX. Tax on Stock Issues and Transfers.
- Sections 74 to 77, inclusive: Title X. Radio Tax.
- Sections 78 to 81, inclusive: Title XI. Fuel Oil Tax.
- Sections 82 to 95, inclusive: Title XII. Tax on Cigarettes.

Sections 96 to 98, inclusive: Title XIII. Tax on Proprietary Medicines and Toilet Preparations.

Sections 99 to 103, inclusive: Title XIV. Store License Tax.

Sections 104 to 127, inclusive: Title XV. Inheritance Tax.

Sections 128 to 158, inclusive: Title XVI. Gift Tax.

Sections 159 to 184, inclusive: Title XVII. Corporate Net Income Tax.

Sections 185 to 210, inclusive: Title XVIII. Administrative Provisions.

Section 211: Title XIX. Allocation of Revenue.

Sections 212 to 218, inclusive: Title XX. General Provisions.

SEC. 2. The limitations on the taxing power of the various municipalities of the state make it imperative that the state assume a larger part of the expense necessary to provide reasonable support for public education and for the care of indigent persons and the unemployed. To meet the obligations so imposed, and better to distribute the burden of taxation, the State of Washington hereby declares its purpose to levy a tax on persons engaged in business activities and upon commodities, estates and gifts as enumerated in this act and in the manner hereinafter in this act set forth.

SEC. 3. For the purpose of the entire act and, unless otherwise required by the context:

(a) The term "Tax Commission" or the word "Commission" means the Tax Commission of the State of Washington;

(b) The word "taxpayer" includes any individual, group of individuals, corporation, or association liable for any tax or the collection of any tax hereunder, or who engages in any business or performs any act for which a tax is imposed by this act;

(c) Words in the singular number shall include the plural and the plural shall include the singular. Words in one gender shall include all other genders.

## TITLE II. BUSINESS AND OCCUPATION TAX.

SEC. 4. 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 in business activities. Such tax shall be measured by the application of rates against value of products, gross proceeds of sales or gross income of the business, as the case may be, as follows:

(a) Upon every person engaging within this state in business as an extractor; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products extracted for sale or commercial use, multiplied by the rate of one-quarter of one per cent;

The measure of the tax is the value of the products so extracted, regardless of the place of sale or the fact that deliveries may be made to the points outside the state;

(b) Upon every person engaging within this state in business as a manufacturer; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products manufactured, multiplied by the rate of one-quarter of one per cent;

The measure of the tax is the value of the products so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state;

(c) Upon every person engaging within this state in the business of making sales at retail; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of one-quarter of one per cent.

(d) Upon every person engaging within this state in the business of making sales at wholesale; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of one-quarter of one per cent.

The tax imposed under this subsection (d) shall likewise be imposed upon persons engaged in distributing articles of tangible personal property owned by them from a warehouse or other central location to a group of retail stores, the intent hereof being to impose the wholesaling tax upon persons performing functions essentially comparable to those of a wholesaler, but not actually making sales; as to such persons, the amount of tax, with respect to such business, shall be equal to the value of the articles distributed, multiplied by the rate of one-half of one per cent; this value shall correspond as nearly as possible to the gross proceeds from sales at wholesale in this state of similar articles of like quality and character, and in similar quantities, by other taxpayers. The Tax Commission shall prescribe uniform and equitable rules

for the purpose of ascertaining such value. If the provisions of this paragraph, for any reason, shall be adjudged invalid, such judgment shall not invalidate the provisions of the first paragraph of this subsection.

(e) Upon every person engaging within this state in any business activity other than or in addition to those enumerated in subsections (a), (b), (c) and (d) above; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of one-half of one per cent. This subsection includes, among others, and without limiting the scope hereof, persons engaged in the following businesses (whether or not title to materials used in the performance of such businesses passes to another by accession, confusion or other than by outright sale); repairing, personal, business, professional, mechanical and educational service businesses; abstract and title, insurance, financial, brokerage, construction contracting and sub-contracting, advertising and hotel businesses.

SEC. 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, co-operative, fraternal, non-profit or otherwise;

(c) The word "sale" means any transfer of the ownership of, or title to, property for a valuable consideration. It includes conditional sale contracts, leases with option to purchase 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 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 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.

The term "sale at retail" or "retail sale" shall be construed to include all sales of tangible personal property to persons: (1) who use such property in the business of erecting buildings or otherwise improving, altering, or repairing real property of others; (2) who use such property in connection with the business of cleaning, decorating, beautifying, repairing, curing, healing or otherwise improving or altering the person or personal property of others;

(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 products, or fells, cuts or takes timber or other natural products, 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. The word shall be construed to include the business of printing and of publishing magazines, newspapers and periodicals;

(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;

(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) Using products extracted or manufactured when similar products are extracted or manufactured for sale by the taxpayer;

(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;

(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 or merchandise of a taxpayer quitting, selling out, exchanging or otherwise disposing of his business.

SEC. 6. Every person engaging in activities which are within the purview of the provisions of two or more of paragraphs (a), (b), (c), (d) and (e) 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. 7. The value of products extracted or manufactured shall be determined by the gross proceeds derived from the sale thereof, except:

(a) Where such products are extracted or manufactured for commercial use;

(b) Where such products are shipped, transported or transferred out of the state, or to another person, without prior sale or are sold under circumstances such that

the gross proceeds from the sale are not indicative of the true value of the subject matter of the sale.

In the above cases the value shall correspond as nearly as possible to the gross proceeds from sales in this state of similar products of like quality and character, and in similar quantities by other taxpayers. The Tax Commission shall prescribe uniform and equitable rules for the purpose of ascertaining such values.

SEC. 8. With respect to persons buying grain, hay, fruit, vegetables, and other agricultural products (including milk, canned milk, butter and cheese but not including other articles manufactured or processed from agricultural products) and selling the same at wholesale to any person other than a person selling such products at retail, the tax herein imposed shall be equal to the gross earning upon such sales multiplied by the rate of one-half of one per cent, the intent hereof being that tax measured by gross proceeds of sales shall be imposed only with respect to persons making the last of a succession of wholesale sales of such products. The term "gross earnings," as used in this section, shall mean the gross proceeds of sales less the amount of the purchase price paid for the products herein mentioned.

SEC. 9. Unless a seller shall have taken from the purchaser a resale certificate signed by, and bearing the name and address and registration number of the purchaser to the effect that the property was purchased for resale, or unless the nature of the transaction is clearly shown as a sale at wholesale by the books and records of the taxpayer in such other manner as the Tax Commission shall by regulation provide, the burden of proving that a sale of tangible personal property was not a sale at retail shall be upon the person who made it.

SEC. 10. Every consignee, bailee, factor or auctioneer having either actual or constructive possession of tangible personal property, or having possession of the documents of title thereto, with power to sell such tangible personal property in his or its own name and actually so selling, shall be deemed the seller of such tangible personal property within the meaning of this Title; and further, the consignor, bailor, principal or owner shall be deemed a seller of such property to the consignee, bailee, factor or auctioneer.

The burden shall be upon the taxpayer in every case to establish the fact that such taxpayer is not engaged in the business of selling tangible personal property but is acting merely as broker or agent in promoting sales for a principal; such claim will be allowed only when the taxpayer's accounting records are kept in such manner as the Tax Commission shall by general regulation provide.

SEC. 11. The provisions of this Title shall not apply to:

(a) Any person engaging in the business of selling at retail whose gross proceeds of sales is less than one thousand (\$1,000.00) dollars, and any person engaging in any other business activity whose value of products, gross proceeds of sales or gross income of the business is less than four hundred (\$400.00) dollars, for a bi-monthly period: *Provided, however,* That where one person engages in more than one business activity and the combined measures of tax applicable to such businesses exceed four hundred (\$400.00) dollars, or, where one of such business activities is that of selling at retail, one thousand (\$1,000.00) dollars, for the taxable bi-monthly period, no exemption or deduction from the amount of tax is allowed by this provision: *Provided, further,* That any person claiming exemption under the provisions of this subsection may be required to file returns as provided herein even though no tax may be due;

(b) Any person in respect to a business activity with respect to which tax liability is specifically imposed under the provisions of Title V of this act;

(c) Any person in respect to insurance business upon which a tax based on gross premiums is paid to the state of Washington: *Provided, however,* That the provisions of this subsection shall not exempt any person engaging in the business of representing any insurance company, whether as general or local agent, or acting as broker for such companies;

(d) Any person in respect to the business of growing or cultivating for sale any agricultural or horticultural products, or crops, or breeding or raising any fowl, animals or livestock for sale or for the milk, eggs, wool, fur or other substance obtainable therefrom, or in respect to the sale of such products at wholesale by the grower or producer thereof. This exemption does not apply to any person selling such products at retail; nor to any person purchasing and feeding or fattening live-

stock; nor to any person growing, raising or cultivating trees, shrubs, bushes, plants, bulbs, flowers and the like, either as forest, greenhouse or nursery products; nor to any association of persons whatever, whether mutual, co-operative or otherwise, engaging in any business activity with respect to which tax liability is imposed under the provisions of this Title;

(e) Any person in respect to the business of conducting boxing contests and sparring and/or wrestling matches and exhibitions for the conduct of which a license must be secured from the state athletic commission;

(f) Any person in respect to the business of conducting race meets for the conduct of which a license must be secured from the horse racing commission;

(g) Any person in respect to his employment in the capacity of an employee or servant as distinguished from that of an independent contractor;

(h) Fraternal benefit societies, as defined in Rem. Comp. Stat., Section 7259, fraternal fire insurance associations, as described in subdivision Third of Rem. Comp. Stat., Section 7131, and beneficiary corporations of societies organized under and existing by virtue of Rem. Comp. Stat., Sections 3872 to 3883, inclusive.

(i) Any person in respect to the business of operating a hospital.

(j) Amounts derived from the lease, rental or sale of real estate: *Provided, however,* That nothing herein shall be construed to allow a deduction of amounts derived from engaging in any business wherein a mere license to use or enjoy real property is granted, or to allow a deduction of amounts received as commissions from the sale or rental of real estate.

SEC. 12. In computing tax there may be deducted from the measure of tax the following items:

(a) Amounts derived by persons, other than those engaging in banking, loan, security or other financial businesses, from investments or the use of money as such;

(b) Amounts derived from bona fide initiation fees, dues, contributions, donations, tuition fees and endowment funds. The provisions of this paragraph shall not be construed to exempt any person, association or society from tax liability upon selling tangible personal property or upon providing facilities or services for which a special charge is made to members or others: *Provided,* That dues which are for, or graduated upon, the amount of service rendered by the recipient thereof are not permitted as a deduction hereunder;

(c) The amount of cash discount actually taken by the purchaser. This deduction is not allowed in arriving at the taxable amount under the extractive and/or manufacturing classifications with respect to articles produced or manufactured, the reported values of which, for the purposes of this tax, have been computed according to the provisions of Section 7;

(d) The amount of credit losses actually sustained by taxpayers whose regular books of account are kept upon an accrual basis;

(e) So much of the sale price of motor vehicle fuel as constitutes the amount of tax imposed by the State of Washington or the United States government upon the sale thereof;

(f) Amounts derived from business which the State of Washington is prohibited from taxing under the constitution of this state or the Constitution or laws of the United States.

(g) Amounts derived by any person as compensation for the receiving, washing, sorting and packing of fresh perishable horticultural products and the material and supplies used therein when performed for the person exempted in subsection "d" of Section 11, this Title, either as agent or as independent contractor.

SEC. 13. The taxes imposed hereunder shall be due and payable in bi-monthly installments and remittance therefor shall be made on or before the fifteenth day of the month next succeeding the end of the bi-monthly period in which tax accrued. The taxpayer, on or before said fifteenth day of said month, shall make out a return, upon such forms and setting forth such information as the Tax Commission may require, showing the amount of the tax for which he is liable for the preceding bi-monthly period, sign and transmit the same to the Tax Commission, together with a remittance for said amount in the form required in Title XVIII of this act. The Tax Commission may, in its discretion, require verified annual returns from any taxpayer,

setting forth such additional information as it may deem necessary to correctly determine tax liability.

SEC. 14. It is not the purpose of this Title that the taxes herein levied upon persons engaging in business shall be construed as taxes upon the purchasers or customers, but it is the intention that such taxes shall be levied upon, and collectible from, the person engaging in the business activities herein designated and that such taxes shall constitute a part of the operating overhead of such persons engaging in business.

SEC. 15. All of the provisions contained in Title XVIII of this act shall have full force and application with respect to taxes imposed under the provisions of this Title.

### TITLE III. TAX ON RETAIL SALES.

SEC. 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.

SEC. 17. For the purposes of this Title, unless otherwise required by the context:

(a) The term "selling price" means the consideration, whether money, credits, rights, or other property, expressed in the terms of money, paid or delivered, by a buyer to a seller for the transfer of the ownership of, or title to, property, 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;

(b) The term "seller" means every person engaged in the business of making sales at retail or retail sales, whether as agent, broker, or principal;

(c) The meaning attributed, in Title II of this act, to the words and terms "tax year," "taxable year," "person," "company," "sale," "sale at retail," "retail sale," "sale at wholesale," "wholesale sale," "business," "engaging in business," "cash discount," and "successor" shall apply equally in the provisions of this Title.

SEC. 18. Every consignee, bailee, factor or auctioneer having either actual or constructive possession of tangible personal property, or having possession of the documents of title thereto, with power to sell such property and, so selling, shall be deemed the seller of such tangible personal property within the meaning of this Title.

SEC. 19. The tax hereby levied shall not apply to the following sales:

(a) Casual and isolated sales by a person who is not engaged in the business of selling tangible personal property at retail;

(b) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under Title V of this act, when the gross proceeds from such sales must be included in the measure of the tax imposed under said Title V;

(c) The distribution and news stand sale of newspapers;

(d) Sales which the State of Washington is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States;

(e) Sales of motor vehicle fuel taxable under Chapter 58 of the Laws of 1933, Section 5 (being Rem. Rev. Stat., Section 8327-5);

(f) Sales made on relief vouchers issued by the department of public welfare or by any county or city or other welfare agency;

(g) Sales of fresh sweet milk, raw unprocessed fruits and vegetables, butter, eggs, cheese, canned milk and unsweetened bread in loaf form (including rolls and buns), sold for consumption off the premises.

SEC. 20. The following item shall not be considered a part of the selling price within the meaning of this Title: The amount of cash discount actually taken by a buyer.

SEC. 21. The tax hereby imposed shall be paid by the buyer to the seller, and it shall be the duty of each seller to collect from the buyer the full amount of the tax payable in respect to each taxable sale. The amount of tax shall be paid by the buyer in cash, or by token or in scrip having the face value of either the purchase price or that portion of the purchase price for which the tax has not been paid in cash. In case any seller fails to collect the tax herein imposed he shall be personally liable

to the state for the amount of such taxes as he fails to collect. The amount of tax, until paid to the seller, shall constitute a debt from the buyer to the seller and all amounts collected by the seller shall be deemed held in trust for the state.

SEC. 22. The Tax Commission shall procure, make available and sell to buyers scrip or tokens which shall be accepted by sellers in the payment of tax imposed under this Title. Tax scrip or tax tokens shall be issued by the Commission, in such denominations as the Commission may deem necessary, not less than one-tenth cent, to enable buyers to pay the amount of the tax upon transactions of all sizes. Tax scrip or tax tokens, whichever may be issued, shall bear prominently upon the face thereof the amount of the selling price for which such scrip or token will be accepted in payment of tax.

The Commission shall have power to provide means for the distribution of tax scrip or tax tokens to buyers throughout the state, including the right to place scrip or tokens on consignment, to require sufficient bond from consignees, and to require that persons making retail sales shall purchase and keep on hand scrip or tokens for the purpose of supplying buyers therewith.

SEC. 23. Each seller, on or before the fifteenth day of the month succeeding the end of each bi-monthly period, shall make out a return for the preceding bi-monthly period, upon forms to be provided by the Tax Commission, setting forth the amount of all sales, non-taxable sales, all taxable sales, the amount of tax thereon, and such other information as the Tax Commission may require, sign and transmit the same to the Tax Commission. The Tax Commission may, in its discretion, require annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability. The tax collected by a seller or accrued under the provisions of this Title shall be paid by the seller to the Tax Commission in bi-monthly installments at the time of transmitting the return above provided for. Remittances in the amount of the tax collected or accrued may be made in the form provided in Section 191 of this act: *Provided, however,* That the Commission shall have full power to provide, by regulation, methods by which scrip or tokens shall be redeemed, accepted, transmitted or cancelled in satisfaction of tax imposed under the provisions of this Title.

SEC. 24. The Commission may authorize a seller to prepay the tax levied under this Title upon sales made through vending machines or similar devices, and waive the collection of the tax from the customer. No such authority shall be granted except upon application to the Commission and unless the Commission, after hearing, shall find that the conditions of the applicant's business are such as to render impracticable the collection of the tax in the manner otherwise provided under this Title. The Commission, by regulation, may provide that the applicant, under this section, furnish a proper bond sufficient to secure the prepayment of taxes levied hereunder and print upon the property sold a statement to the effect that the tax has been paid in advance.

SEC. 25. In the case of installment sales and leases with an option to purchase, the Commission, by regulation, may provide for the collection of taxes upon the installments of the purchase price, or amount of rental, as of the time the same fall due.

The Tax Commission, by general regulation, may provide that a taxpayer whose regular books of account are kept on a cash receipts basis may file returns based upon his cash receipts for each bi-monthly period and pay the tax herein provided upon such basis in lieu of reporting and paying the tax on all sales made during such period.

SEC. 26. In the case of a person who has no fixed place of business and sells from one or more vehicles, each such vehicle shall constitute a "place of business" within the meaning of Section 187 of this act.

SEC. 27. Whoever, excepting as expressly authorized pursuant to this act, refunds, remits or rebates to a buyer, either directly or indirectly and by whatsoever means, all or any part of the tax levied by this Title, or makes in any form of advertising, verbal or otherwise, any statements which might infer that he is absorbing the tax or paying the tax for the buyer by an adjustment of prices, or at a price including the tax, or in any other manner whatsoever shall be guilty of a misdemeanor.

SEC. 28. Whoever falsely or fraudulently makes, forges, alters, or counterfeits any scrip or token prescribed by the Commission under the provisions of this Title, or knowingly and wilfully utters, publishes, passes, or tenders as true, any false, altered, forged or counterfeited scrip or token shall be guilty of a felony.

SEC. 29. The state does hereby preempt the field of imposing tax upon retail sales of tangible property as included under the provisions of this title and no county, city, town or other municipal subdivision shall have the right to impose, levy or collect taxes upon retail sales as herein defined.

SEC. 30. The provisions of Section 9 of Title II and all of the provisions contained in Title XVIII of this Act shall have full force and application with respect to taxes imposed under the provisions of this Title.

#### TITLE IV. COMPENSATING TAX.

SEC. 31. 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 subsequent to April 30, 1935. Such tax shall be levied and collected in an amount equal to the purchase price paid by the taxpayer multiplied by the rate of 2%.

SEC. 32. The provisions of this Title shall not apply:

(a) In respect to the use of any article of tangible personal property brought into the State of Washington by a non-resident thereof for his or her use or enjoyment while within the state;

(b) In respect to the use of tangible personal property purchased other than at retail;

(c) In respect to the use of any article of tangible personal property the sale or use of which has already been subjected to a tax equal to or in excess of that imposed by this Title whether under the laws of this state or of some other state of the United States;

(d) In respect to the use of tangible personal property purchased during any calendar month, the total purchase price of which is less than twenty (\$20.00) dollars.

SEC. 33. If any article of tangible personal property has already been subjected to a tax by this or any other state in respect to its sale or use in an amount less than the tax imposed by this title, the provisions of this title shall apply, but at a rate measured by the difference only between the rate herein fixed and the rate by which the previous tax upon the sale or use was computed.

SEC. 34. Each taxpayer subject to the provisions of this Title shall, on or before the fifteenth day of every calendar month, 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 calendar month 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.

SEC. 35. For the purposes of this Title:

(a) The term "purchase price" shall mean the consideration paid or given or contracted to be paid or given by any person to the seller of an article of tangible personal property for the article purchased. The term shall include, in addition to the consideration paid or given or contracted to be paid or given, the actual cost of transportation from the place where the article was purchased to the person using the same in this state.

(b) The meaning ascribed to words and phrases in Title II and III and all the provisions of Title XVIII 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: *Provided, however,* That in applying the provisions of Section 202, the warrant shall direct the sheriff to levy upon and sell only the personal property the use of which is subject to tax under this Title, and the lien therein provided for shall attach only to such property.

#### TITLE V. PUBLIC UTILITY TAX.

SEC. 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;

II. Gas distribution business: two per cent;

III. Urban or interurban 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 ( $\frac{1}{2}$  of 1%);

V. Highway transportation and all public service businesses other than ones mentioned above: one and one-half per cent;

SEC. 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 or interurban 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, certified freight carrier, contract hauler or for hire carrier as defined in Chapter 111, Laws of 1921, page 338, Section 1, and Chapter 166, Laws of 1933, page 613, Section 1 and Section 13, as amended by Chapter 55, Laws of 1933, page 138, Extraordinary Session, Section 1 and Section 5;

(j) The term "urban or interurban 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 within any one city or town;

(2) The business of operating any electric interurban railroad for public use in the conveyance of persons or property for hire primarily between cities or towns within this state or between cities and towns in this state and an adjoining state;

(3) 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, sight-seeing busses, taxicabs or any other passenger motor vehicles operated for public hire, if not operating between fixed termini or over regular routes and if operating entirely within the limits of any city or town, or contiguous cities or towns or within 3 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;

(1) 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.

SEC. 38. Every person engaging in businesses which are within the purview of two or more of Schedules I, II, III, IV and V of Section 36 shall be taxable under each schedule applicable to the business engaged in.

SEC. 39. The provisions of this Title shall not apply to: Persons engaging in one or more businesses taxable under this Title whose total gross operating revenue is less than One Thousand (\$1,000.00) Dollars for the taxable bi-monthly period or portion thereof: *Provided, however,* That any person claiming exemption under the provisions of this section may be required to file returns as provided herein even though no tax may be due. If the total gross operating revenue for a taxable bi-monthly period is One Thousand (\$1,000.00) Dollars, or more, no exemption or deductions from the gross operating revenue is allowed by this provision.

SEC. 40. In computing tax there may be deducted from the gross operating revenue the following items:

(a) Amounts derived by municipally owned or operated public service businesses, directly from taxes levied for the support or maintenance thereof;

(b) Amounts derived from the sale of commodities to persons in the same public service business as the seller, for resale as such within this state. This deduction is allowed only with respect to water distribution, light and power, gas distribution or other public service businesses which furnish water, electrical energy, gas, or any other commodity in the performance of public service business;

(c) Amounts actually paid by a taxpayer to another person taxable under this Title as the latter's portion of the consideration due for services furnished jointly by both, if the total amount has been credited to and appears in the gross operating revenue reported for tax by the former;

(d) The amount of cash discount actually taken by the purchaser or customer;

(e) The amount of credit losses actually sustained by taxpayers whose regular books of accounts are kept upon an accrual basis;

(f) Amounts derived from business which the State of Washington is prohibited from taxing under the constitution of this state or the Constitution or laws of the United States;

(g) Amounts derived from the distribution of water through an irrigation system, for irrigation purposes.

SEC. 41. Nothing herein shall be construed to exempt persons taxable under the provisions of this Title from tax under any other Titles of this act with respect to activities other than those specifically within the provisions of this Title.

SEC. 42. The taxes imposed hereunder shall be due and payable in bi-monthly installments and remittance therefor shall be made on or before the fifteenth day of the month next succeeding the end of the bi-monthly period in which tax accrued. The taxpayer, on or before said fifteenth day of said month, shall make out a return, upon such forms and setting forth such information as the Tax Commission may require, showing the amount of the tax for which he is liable for the preceding bi-monthly period, sign and transmit the same to the Tax Commission, together with a remittance for said amount in the form required in Title XVIII of this act. The Tax Commission may, in its discretion, require verified annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability.

SEC. 43. All of the provisions contained in Title XVIII of this act shall have full force and application with respect to taxes imposed under the provisions of this Title.

## TITLE VI. ADMISSIONS TAX.

SEC. 44. (a) From and after the first day of May, 1935, there is hereby levied and there shall be collected a tax of one cent for each twenty (20) cents or fraction thereof of the amount paid for admission to any place, including admission by season ticket or subscription, to be paid by the person paying for such admission; except that in the case the amount paid for admission is less than ten (10c) cents, no tax shall be imposed. In the case of persons (except bona fide employees, state or municipal officers on official business, and children under twelve (12) years of age) admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons, an equivalent tax shall be collected based on the price so charged to such other persons for the same or similar accommodations, to be paid by the person so admitted. Amounts paid for admission by season ticket or subscription shall be exempt only if the amount which would be charged to the holder or subscriber for a single admission is less than ten (10c) cents;

(b) Upon tickets or cards of admission to places of amusement sold elsewhere than at the ticket offices of such places of amusement, at a price in excess of the sum of the established price therefor at such ticket offices, plus the amount of any tax imposed under paragraph (a) of this section, a tax equivalent to ten (10%) per cent of the amount of such excess; such tax to be returned and paid in the manner provided in Section 47 hereof, by the person selling such tickets;

(c) A tax equivalent to fifty (50%) per cent of the amount for which proprietors, managers, or employees of any place of amusement sell or dispose of tickets or cards of admission in excess of the regular or established price or charge therefor, such tax to be returned or paid in the manner provided in Section 47 hereof, by the person selling such tickets;

(d) In the case of persons having the permanent use of boxes or seats in any place of amusement or a lease for the use of such box or seat (in lieu of the tax imposed by paragraph (a) of this section), a tax equivalent to ten (10%) per cent of the amount for which a similar box or seat is sold for each performance or exhibition at which the box or seat is used or reserved by or for the lessee or holder, such tax to be paid by the lessee or holder;

(e) A tax of one and one-half (1½c) cents for each ten (10c) cents or fraction thereof of the amount paid for admission to any public performance for profit at any roof garden, cabaret, or other similar entertainment, to which the charge for admission is wholly or in part included in the price paid for refreshments, service or merchandise; the amount paid for such admission to be deemed to be twenty (20%) per cent of the amount paid for refreshment, service or merchandise. Where the amount paid for admission is twenty (20c) cents or less, no tax shall be imposed.

SEC. 45. For the purposes of this Title, unless required by the context;

(a) The term "admission" includes seats and tables, reserved or otherwise, and other similar accommodations, and the charges made therefor;

(b) The words "person" and "successor" shall have the same meaning as is attributed to such words in Title II of this act.

SEC. 46. The price (exclusive of the tax to be paid by the person paying for admission) at which every admission ticket or card is sold shall be conspicuously and indelibly printed or written on the face or back of that part of the ticket which is to be taken up by the management of the place of amusement. Whoever sells an admission ticket or card on which the name of the vendor or the price is not so printed, stamped, or written or at a price in excess of the price so printed, stamped or written thereon, shall be deemed guilty of a misdemeanor, and upon conviction thereof be fined not more than One Hundred (\$100.00) Dollars.

SEC. 47. Every person receiving any payment for admissions, taxable under this Title, shall collect the amount of tax imposed hereby from the person making such payments. The taxes imposed hereunder shall be due and payable to the state in bi-monthly installments and remittance therefor shall be made on or before the fifteenth day of the month next succeeding the end of the bi-monthly period in which the tax is collected or accrued. The person receiving any payment for admissions on or before said fifteenth day of said month, shall make out a return, upon such forms and setting forth such information as the Tax Commission may require, showing the amount of tax upon admissions for which he is liable for the preceding bi-monthly

period, sign and transmit the same to the Tax Commission, together with a remittance for said amount in the form required in Section 191 of this act. The Tax Commission may, in its discretion, require verified annual returns from any taxpayer setting forth such additional information as it may deem necessary to determine correctly tax liability.

SEC. 48. Whenever a certificate of registration is obtained for operating or conducting temporary places of amusement by persons who are not the owners, lessees or custodians of the building, lots or place where the amusement is to be conducted, or whenever the business is permitted to be conducted, without the procurement of a certificate, the tax imposed by this Title shall be returned and paid as provided in Section 47 hereof, by said owner, lessee or custodian, unless paid by the person conducting the place of amusement.

The applicant for a temporary certificate shall furnish with the application therefor, the name and address of the owner, lessee or custodian of the premises upon which the amusement is to be conducted, and such owner, lessee or custodian shall be notified by the Commission of the issuance of such certificate, and the joint liability for such tax.

The Tax Commission may declare the tax upon temporary or itinerant places of amusement to be immediately due and payable and collect the same, when in its discretion it believes there is a possibility that the tax imposed hereunder will not be paid.

SEC. 49. No tax shall be levied under this title in respect of any admissions to agricultural fairs if no part of the net earnings thereof inures to the benefit of any stockholders or members of the association conducting the same, or admissions to any exhibits, entertainment, or other pay feature conducted by such association as part of any such fair—if the proceeds therefrom are used exclusively for the improvement, maintenance, and operation of such agricultural fairs.

SEC. 50. All of the provisions of Title XVIII of this act shall have full force and application with respect to the taxes imposed under the provisions of this Title.

#### TITLE VII. LIQUOR TAX.

SEC. 51. From and after May 1, 1935, there is hereby levied and there shall be collected a tax at the rate of 10% upon the retail selling price of all alcoholic liquors sold by the Liquor Control Board of the State of Washington. Such tax shall be added to the price of all alcoholic liquor sold by the Board and shall be collected from the purchaser by the Board.

SEC. 52. The Liquor Control Board, within fifteen days of the end of each calendar month, shall remit the tax so collected on liquor sold during the preceding calendar month to the State Treasurer and the State Treasurer shall deposit the tax so remitted to the credit of such funds and in such proportion as provided in Section 211 of this act.

#### TITLE VIII. TAX ON CONVEYANCES.

SEC. 53. From and after the first day of May, 1935, there is hereby levied and there shall be collected a tax upon conveyances: deed, instrument, or writing (unless deposited in escrow before May 1, 1935), whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons by his, her or its direction, when the consideration or value of the interest or property conveyed, exclusive of the value of any lien or encumbrance remaining thereon at the time of sale, exceeds One Hundred (\$100.00) Dollars and does not exceed Five Hundred (\$500.00) Dollars or fractional part thereof, 50 cents; and for each additional \$500.00 or fractional part thereof, 50 cents. This section shall not apply to any installment or writing, given to secure a debt.

SEC. 54. For the purposes of this Title, unless otherwise required by the context: The word "person" shall have the same meaning as is attributed to such word in Title II of this act.

SEC. 55. The Tax Commission shall cause to be prepared and distributed for the payment of the taxes prescribed in this Title suitable stamps denoting the tax on any instrument, document, or paper, to which the same may be affixed, and shall prescribe such method for the affixing of said stamps as it may deem expedient.

SEC. 56. Whenever any stamp is used for denoting any tax imposed by this Title, except as hereinafter provided, the person using or affixing the same shall write or stamp, or cause to be written or stamped, thereon, the initials of his or its name and the date upon which the same is attached or used, so that the same may not again be used; *Provided*, That the Tax Commission may prescribe such other method for the cancellation of such stamps as it may deem expedient.

SEC. 57. The Tax Commission, may, upon receipt of satisfactory evidence of the facts, make allowance for or redeem such of the stamps, issued under authority of law, to denote the payment of any tax, as may have been spoiled, destroyed or rendered useless or unfit for the purpose intended, or for which the owner may have no use, or which, through mistake, have been improperly or unnecessarily used, or where the returns or duties represented thereby have been excessive in amount, paid in error, or in any manner wrongfully collected. Such allowance or redemption may be made, either by giving other stamps in lieu of the stamps so allowed for or redeemed or by refunding the amount or value to the owner thereof; but no allowance or redemption shall be made in any case until the stamps so spoiled or rendered useless shall have been returned to the Commission, or until satisfactory proof has been made showing the reason why the same cannot be returned; *Provided, further*, That no claim for the redemption of or allowance for stamps shall be allowed unless presented within two years after the purchase of said stamps from the Tax Commission.

SEC. 58. To forge or counterfeit any stamp of the kind herein provided is hereby declared to be a felony.

SEC. 59. Each of the following acts is hereby declared to be a gross misdemeanor and punishable as such: (a) to take, sign, issue, or accept, or cause to be made, signed, issued, or accepted, any instrument, document, or paper of any kind or description whatsoever without the full amount of the tax thereon being duly paid; (b) to fraudulently cut, tear, or remove from any instrument, document, or paper, upon which any tax is imposed by this Title, any stamp or the impression of any stamp, die, plate, or other articles provided, made, or used in the pursuance of this Title; (c) to wilfully remove, or alter the cancellation or defacing marks of, or otherwise prepare any stamp, with intent to use, or cause the same to be used, after it has already been used, or knowingly or wilfully buy, sell, offer for sale, or give away, any such washed or restored stamp to any person for use, or knowingly use the same; (d) for any person other than the Tax Commission or its duly authorized agent to sell any stamp provided for herein, not affixed to any conveyance taxed herein, whether said stamp be genuine or counterfeit.

SEC. 60. All of the applicable provisions contained in Title XVIII of this act shall have full force and application with respect to taxes imposed under the provisions of this Title.

#### TITLE IX. TAX ON STOCK ISSUES AND TRANSFERS.

SEC. 61. From and after the first day of May, 1935, there is hereby levied and there shall be collected a tax:

(a) On each original issue, whether an organization or reorganization, of shares or certificates of stock, or of profits, or of interest in property or accumulations, by any corporation, or by any investment trust or similar organization (or by any person on behalf of such investment trust or similar organization) holding or dealing in any bonds or stock (whether or not such investment trust or similar organization constitutes a corporation within the meaning of this Title), on each \$100 of par or face value or fraction thereof of the certificates issued by such corporation or by such investment trust or similar organization (or of the shares where no certificates were issued), 10 cents: *Provided*, That where such shares or certificates are issued without par or face value, the tax shall be 10 cents per share (corporate share, or investment trust or other organization share, as the case may be), unless the actual value is in excess of \$100 per share, in which case the tax shall be 10 cents on each \$100 of actual value or fraction thereof of such certificates (or of the shares where no certificates were issued), or unless the actual value is less than \$100 per share, in which case the tax shall be 2 cents on each \$20 of actual value, or fraction thereof, of such certificates (or of the shares where no certificates were issued):

The stamps representing the tax imposed by this subsection shall be attached to the stock books or corresponding records of the organization and not to the certificates issued.

(b) On all sales, or agreements to sell, or memoranda of sales or deliveries of, or transfers of legal title to stock (or to rights to subscribe for or to receive such stock, whether made upon or shown by the books of the corporation or other organization), whether made by any assignment in blank or by any delivery or by any paper or agreement or memorandum or other evidence of transfer or sale (whether entitling the holder in any manner to the benefit of such stock interest or rights, or not), on each \$100 of the par or face value or fraction of the certificates of such corporation or other organization (or of the shares where no certificates were issued), 4 cents; and where such shares or certificates are without par or face value, the tax shall be 5 cents on the transfer or sale or agreement to sell each share: *Provided*, That it is not intended by this Title to impose a tax upon an agreement evidencing a deposit of stock as collateral security for money loaned thereon, which stock is not actually sold, nor upon the delivery or transfer for such purpose of stock so deposited (nor upon the return of stock loaned): *Provided, further*, That the tax shall not be imposed upon deliveries or transfers to a broker for sale, nor upon deliveries or transfers by a broker to a customer for whom and upon whose order he has purchased same, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided, further*, That the tax shall not be imposed upon deliveries or transfers from a fiduciary to a nominee of such fiduciary, or from one nominee of such fiduciary to another, if such stock continues to be held by such nominee for the same purpose for which it would be held if retained by such fiduciary, or from the nominee to such fiduciary, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided, further*, That in case of a sale of stock where the evidence of transfer is shown only by the books of the corporation or other organization, the stamp shall be placed upon such books; and where the change of ownership is by transfer of the certificate the stamp shall be placed upon the certificate; and in cases of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers.

SEC. 62. For the purpose of this Title, unless otherwise required by the context:

(a) The word "stock" means shares or certificates of stock or of profits, or of interest in property or accumulations, by any corporation, or by any investment trust or similar organization (or by any person on behalf of such investment trust or similar organization) holding or dealing in any of the instruments mentioned or described in this subsection or subsection (b) below (whether or not such investment trust or similar organization constitutes a corporation within the meaning of this Title).

(b) The word "bond" means all bonds, debentures, or certificates of indebtedness issued by any corporation, and all instruments, however termed, issued by any corporation with interest coupons or in registered form, known generally as corporate securities.

(c) The word "person" as used herein shall have the same meaning as attributed to it in Section 5 (b) Title II of this act.

SEC. 63. Adhesive stamps for the purpose of paying the tax under this Title shall be prepared by the Tax Commission in such form, of such denominations and in such quantities as it may prescribe. The Tax Commission shall make provisions for the sale of such stamps in such places and at such times as it deems necessary. It shall be a misdemeanor for any person to sell any stamp in violation of the provisions prescribed for such sale by the Tax Commission.

SEC. 64. Whenever an adhesive stamp is used under this Title, the person using or affixing it shall write or stamp thereon the initials of his name and the date on which the same is affixed or used and shall cut and perforate the stamp in a substantial manner so that it cannot be used again: *Provided*, That the Tax Commission may prescribe such other method for the cancellation of such stamps as it may deem expedient.

SEC. 65. The Tax Commission may provide by general regulation for redeeming or allowing for such stamps issued hereunder as may have been spoiled, destroyed, or rendered useless or unfit for the purposes intended, or for which the owner may have no use, or which have been erroneously affixed. The Tax Commission, upon presen-

tation of a claim for the amount of such stamps, and upon the production of evidence satisfactory to it that such stamps were affixed erroneously so as to cause loss to the persons making the claim by said amount, or such part thereof as it may allow, shall refund the amount so erroneously paid by means of vouchers and by issuance of state warrants drawn upon and payable from such funds as the legislature may provide. Such claims shall be presented to the Tax Commission in writing duly verified, shall state the full name and address of the claimant, the date of the erroneous affixing, and the face value of the stamps, shall describe the document to which the stamps were affixed, and shall contain such evidence as may be available upon which the demand for repayment is based. Such claims shall be presented within ninety days after the alleged erroneous affixing. If the Tax Commission rejects a claim or any part thereof, the claimant may appeal to the Superior Court of Thurston County, within thirty days after the date of the rejection. The appeal shall be perfected by serving a copy of the notice of appeal upon the Tax Commission within time herein provided and by filing the original thereof with proof of service with the Clerk of the Superior Court of Thurston County. Within ten days after filing notice of such appeal, the claimant shall file with the Clerk of the Superior Court a good and sufficient security company bond payable to the State of Washington in the sum of Two Hundred (\$200.00) Dollars, conditioned to diligently prosecute the appeal and pay the state all costs that may be awarded if the appeal of the taxpayer is not sustained. A trial in the Superior Court on appeal shall be de novo and without the necessity of any proceedings other than the notice of appeal. In such proceedings the taxpayer shall be deemed the plaintiff, and the State of Washington, the defendant; and both parties shall be entitled to subpoena and require the attendance of witnesses as in other civil actions and to produce evidence that is competent, relevant and material. Either party shall be allowed to appeal to the Supreme Court in the same manner as other civil actions are appealed to that court. No court action or proceeding of any kind shall be maintained by the taxpayer to recover any amount under this Title, except as herein provided.

SEC. 66. No sale, transfer or agreement to sell stock made after the first day of May, 1935, on which a tax is imposed by this Title, which tax is not paid at the time of such transfer, shall be made the basis of any action or legal proceeding, nor shall proof thereof be offered or received in evidence in any court in this state: *Provided*, That nothing contained in this paragraph shall apply to proceedings authorized by this Title.

Where, through accident, mistake or inadvertence and without any intent to evade this Title the said tax is not paid at the time of transfer, the Tax Commission may allow the tax to be paid at a later time under such rules and regulations as it may from time to time establish, and if so paid the penalty provided for failure to pay the tax shall not be enforced and any transfer on which the tax shall so have been paid shall have the same legal effect as if the tax had actually been paid at the time of the transfer and shall not be subject to the provisions of the first paragraph of this section.

SEC. 67. Every person making a sale, agreement to sell, deliver or transfer stock, or conducting or transacting a brokerage business, shall keep or cause to be kept at some accessible place within the state a true book of accounts wherein shall be recorded, plainly and legibly, the date of making every sale, agreement to sell, delivery or transfer of stock, and every transaction in relation to any of such stock; and also the number of shares, the face value, the selling price, the name of the stock, the name of the seller, the name of the purchaser, and the face value of the stamps affixed to the instrument, certificate or memorandum as provided in Section 61. Such book shall be preserved for two years after the date of the last entry therein.

SEC. 68. Every corporation or association shall keep or cause to be kept at some accessible place within the state a stock certificate book, transfer ledger, or register, wherein shall plainly and legibly be recorded, in separate columns, the date of making every transfer of stock, the name and the number of shares thereof, the name of the party surrendering the certificates, the name of the party to whom certificates are issued in exchange thereof, and evidence of the payment of the tax imposed by Section 61, which evidence, however, shall be furnished in one of the following manners, to wit:

(a) By attaching to the stock certificate surrendered for transfer the stamps required for such transfer, or

(b) If the stamps are not attached to the certificate but are attached to the memorandum of sale effecting or evidencing the transfer of such certificate, by attaching to the certificate said memorandum of sale with stamps attached.

The corporation or association shall retain and keep all surrendered or cancelled shares or certificates of stock and all bills or memoranda relating to the issue, sale or transfer of stock for at least two years after the date of the delivery thereof, and it shall also keep, for at least two years after the date of the last entry thereon the stock certificate book or transfer ledger provided for by this section.

SEC. 69. If any person, subject to the provisions of this Title or any rules and regulations promulgated by the Tax Commission under authority hereof, shall be found to have failed to affix the stamps required, or to have the same affixed as herein provided, or to pay any tax due hereunder, or to have violated any of the provisions of this Title or rules and regulations promulgated by the Tax Commission in the administration hereof, there shall be assessed and collected from such person, as tax and penalty, in addition to any tax that may be found due, a sum equal to the amount of any tax found to be due plus a penalty of twenty-five per cent and interest thereon at the rate of one per cent for each thirty days or portion thereof from the date the tax became due, and upon notice mailed to the last known address of the taxpayer said amount shall become due and payable in ten days, at which time the Tax Commission, or its duly authorized agent, may make immediate demand upon such taxpayer for the payment of all such taxes and penalties: *Provided*, That the Tax Commission, for good reason shown, may remit all or any part of the penalties imposed, but the taxpayer must pay all taxes due and interest thereon, at the rate of one per cent for each thirty days or portion thereof.

SEC. 70. Any person liable to pay the tax imposed by this Title, anyone who acts in the matter as agent or broker for such person, who makes any issue, sale, transfer or delivery of stock without paying said tax, and whenever in pursuance of any sale, transfer or agreement, delivers any such instrument or evidence of sale or transfer of or agreement to sell any stock, or bill of memorandum thereof, or transfers or causes the same to be transferred upon the books or records of the association or corporation, without having the stamps required by this Title affixed thereto, and any association or corporation whose stock is so sold or transferred, which shall transfer or cause the same to be transferred upon its books without having such stamps so affixed shall be punished by a fine of not less than Ten (\$10.00) Dollars nor more than Five Hundred (\$500.00) Dollars.

SEC. 71. Whoever wilfully removes or alters or knowingly permits to be removed or altered the cancelling or defacing marks of any stamps provided for by this Title with the intent to use such stamps, or knowingly or wilfully buys, prepares for use, uses, has in possession, or suffers to be used, any washed, restored or counterfeit stamps and whoever intentionally removes or causes to be removed or knowingly permits to be removed, any stamp affixed pursuant to this Title shall be punished by a fine of not less than Five Hundred (\$500.00) Dollars nor more than One Thousand (\$1,000.00) Dollars, or by imprisonment for not more than one year, or both.

SEC. 72. Whoever fraudulently makes use of an adhesive stamp to denote the payment of the tax imposed by this act without effectually cancelling it in accordance with Section 64, shall be punished by a fine of not less than Ten (\$10.00) Dollars nor more than Five Hundred (\$500.00) Dollars.

SEC. 73. All of the provisions contained in Title XVIII of this act shall have full force and application with respect to taxes imposed under the provisions of this Title: *Provided*, That the following sections of said Title XVIII shall not apply hereto: Sections 188, 190, 193 and 203.

#### TITLE X. RADIO BROADCASTING TAX.

SEC. 74. 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 in the business of radio broadcasting. As to such persons the amount of the tax with respect to such business shall be equal to the gross income of the business multiplied by the rate of one-half of one per cent.

SEC. 75. For the purposes of this Title, unless otherwise required by the context, the word "person" as used herein shall have the same meaning as attributed to it in Section 5 (b), Title II of this act.

SEC. 76. The taxes imposed hereunder shall be due and payable in bi-monthly installments and remittance therefor shall be made on or before the fifteenth day of the month next succeeding the end of the bi-monthly period in which the tax accrued. The taxpayer, on or before said fifteenth day of said month, shall make out a return, upon such forms and setting forth such information as the Tax Commission may require, showing the amount of tax for which it is liable for the preceding bi-monthly period, sign and transmit the same to the Tax Commission, together with a remittance for said amount.

SEC. 77. The provisions of Title XVIII which relate to the assessment and collection of taxes are hereby extended to, and made a part of, this Title as far as applicable for the purpose of collecting the taxes levied under this Title.

#### TITLE XI. FUEL OIL TAX.

SEC. 78. From and after the first day of May, 1935, there is hereby levied and there shall be collected, in addition to any other taxes provided by law, an excise tax upon every distributor at the rate of one-quarter ( $\frac{1}{4}$ ) cent for each gallon of fuel oil and/or diesel oil sold, distributed, withdrawn or used by him in the State of Washington. The tax herein imposed shall be collected by the Director of Licenses of this state and shall be paid by every distributor but once in respect to any fuel oil and/or diesel oil, sold, distributed, withdrawn or used by him.

Bills shall be rendered by distributors to all purchasers of fuel oil and/or diesel oil of fifty (50) gallons or more and to all purchasers of smaller quantities upon request containing a statement that the distributor has assumed the tax thereon.

SEC. 79. For the purposes of this Title, unless otherwise required by the context:

(a) The term "fuel oil" shall mean and include an oil of fourteen degrees to nineteen degrees American Petroleum Institute gravity and with a viscosity range of twenty-six to fifty Saybolt Furol at a temperature of one hundred twenty-two degrees or any other refined or partially refined petroleum product other than gasoline or diesel oil;

(b) The term "diesel oil" shall mean and include an oil from twenty-seven degrees to thirty-four degrees American Petroleum Institute gravity and with a viscosity range of forty-one to forty-eight Saybolt Universal at a temperature of one hundred degrees;

(c) The word "distributor" shall mean and include every person who refines, manufactures, produces or compounds fuel oil and/or diesel oil and sells, distributes, or in any manner uses the same in this state; also any person who imports any fuel oil and/or diesel oil into this state and stores, withdraws, sells, distributes, or in any manner uses the same in this state whether in the original package or container in which it is imported or otherwise; also any person who having acquired in this state in the original package or container fuel oil and/or diesel oil, shall distribute or sell the same, whether in such original package or container in which the same was imported or otherwise, or in any manner uses the same;

(d) The words "sale," "sale at retail" or "retail sale," "person" and "successor" shall have the same meaning as is attributed to such words in Title II of this act.

(e) The words "director" and "department" shall have the same meaning as is attributed to such words in Section 1, of Chapter 58, of the Laws of Washington, 1933.

SEC. 80. It is hereby provided that Section 2, Chapter 58, Laws of Washington, 1933, shall be applicable to the taxes imposed under this Title: *Provided*, That the total amount of the bond or bonds required therein to be fixed by the Director of Licenses shall not be less than One Thousand (\$1,000.00) Dollars.

Exemptions for fuel oil and for diesel oil exported by distributors shall be allowed in the manner provided in paragraph 3 of Section 17, Chapter 58, Laws of Washington, 1933.

SEC. 81. All of the provisions of Chapter 58, Laws of Washington, 1933, except Sections 1, 5, 6, 18, 20, 23, 25, 26 and 27 thereof shall have full force and application to this Title as fully as though the words "fuel oil and/or diesel oil" appeared therein.

#### TITLE XII. TAX ON CIGARETTES.

SEC. 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-twentieth 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 ten 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 act, 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 five (5) 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.

SEC. 83. For the purposes of this Title, unless otherwise required by the context:

(a) The word "wholesaler" means and includes every person who purchases, sells or distributes any one or more of the articles taxed herein to retailers for the purpose of resale only.

(b) The word "retailer" means and includes every person, other than a wholesaler, who shall purchase, sell, offer for sale or distribute any one or more of the articles taxed herein, irrespective of quantity or amount, or the number of sales; and all persons operating under a retailer's registration certificate,

(c) The words "retail selling price" mean the ordinary, customary or usual price paid by the consumer for each package of cigarettes, before the tax levied by this Title has been paid.

(d) The word "cigarette" means any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and irrespective of the tobacco being flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or

cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

(e) The word "stamp" as used herein means the stamp or stamps by use of which the tax levy under this Title is paid.

(f) The meaning attributed, in Title II of this act, to the words "person," "sale," "business" and "successor" shall apply equally in the provisions of this Title.

SEC. 84. It shall be the duty of every wholesaler or retailer subject to the provisions of this Title to keep and preserve for a period of five years an accurate set of records, showing all transactions had with reference to the purchase and sale of any of the articles taxed herein and such persons shall keep also separately all invoices, and shall keep a record of all stamps purchased, and all such records and all such stock of taxable articles on hand shall be open to inspection at all reasonable times to the Tax Commission or its duly authorized agent: *Provided, however*, That all retailers purchasing or receiving any of the articles taxed herein from without the state, whether the same shall be ordered through a wholesaler or jobber in this state, or by drop shipment or otherwise, immediately upon receipt of the same, shall mail a duplicate invoice of all such purchases or receipts to the Tax Commission and failure to furnish such duplicate invoices shall be deemed a violation of this Title.

SEC. 85. To forge or counterfeit any stamp of the kind herein provided is hereby declared to be a felony.

SEC. 86. Each of the following acts is hereby declared to be a gross misdemeanor and punishable as such:

(a) To sell, except as a registered wholesaler engaged in interstate commerce as to the article being taxed sold in interstate commerce, any of the articles taxed herein, without the stamp being provided for, first being affixed and cancelled as herein provided;

(b) To use or have in possession knowingly or intentionally any forged or counterfeit stamps;

(c) For any person other than the Tax Commission or its duly authorized agent to sell any stamps provided for herein, not affixed to any of the articles taxed herein, whether the said stamps be genuine or counterfeit;

(d) To violate any of the provisions of this Title;

(e) To violate any lawful rule or regulation made and published by the Tax Commission;

(f) To use any stamps more than once or to have in one's possession any stamps that have been used;

(g) To remove, erase, alter, or deface the cancellation marks on any stamp or to have in possession any stamp on which the cancellation mark has been removed, erased, altered or defaced;

(h) To refuse to allow on demand of the Tax Commission, or any duly authorized agent thereof, to make full inspection of any place of business where any of the articles herein taxed are sold or otherwise hinder or prevent such inspection;

(i) To use any artful device or deceptive practice to conceal any violations of this Title or to mislead the Tax Commission or any duly authorized agent thereof in the enforcement of this Title;

(j) For any retailer to have in possession in any place of business any of the articles herein taxed, unless the same shall have the proper stamps attached;

(k) For any person to make, use or present or exhibit to the Tax Commission, or any duly authorized agent thereof, any invoice for any of the articles herein taxed which bears an untrue date or falsely states the nature or quantity of the goods therein invoiced;

(l) For any wholesaler or retailer or his agent or employees to fail to produce on demand of the Tax Commission all invoices of all the articles herein taxed and/or stamps bought by him or received in his place of business within one (1) year prior to said demand unless he can show by satisfactory proof that the non-production of said invoices was due to providential or other causes beyond his control;

(m) For any person to receive in this state any shipment of any of the articles taxed herein, when the same are not stamped, for the purpose of avoiding payment of tax.

All agents, employees and others who aid, abet or otherwise participate in any way in the violation of the provisions of this Title, or in any of the offenses herein described shall be guilty and punishable as principals, to the same extent as any wholesaler or retailer violating the provisions of the Title.

SEC. 87. If any wholesaler or retailer, subject to the provisions of this Title or any rules and regulations promulgated by the Tax Commission under authority hereof, shall be found to have failed to affix the stamps required, or to have the same affixed as herein provided, or to pay any tax due hereunder, or to have violated any of the provisions of this Title or rules and regulations promulgated by the Tax Commission in the administration hereof, there shall be assessed and collected from such wholesaler or retailer, as tax and penalty, in addition to any tax that may be found due, a sum equal to the amount of any tax found to be due plus a penalty of twenty-five per cent and interest thereon at the rate of one per cent for each thirty days or portion thereof from the date the tax became due, and upon notice mailed to the last known address of the taxpayer said amount shall become due and payable in ten days, at which time the Tax Commission, or its duly authorized agent, may make immediate demand upon such wholesaler or retailer for the payment of all such taxes and penalties: *Provided*, That the Tax Commission, for good reason shown, may remit all or any part of penalties imposed, but the taxpayer must pay all taxes due and interest thereon, at the rate of one per cent for each thirty days or portion thereof. The keeping of any unstamped articles coming within the provisions of this Title shall be prima facie evidence of the intent to violate the provisions of this Title.

SEC. 88. Any articles taxed herein found at any point within this state, which articles shall be held, owned, possessed or in the control of any person for a period of time longer than the time to affix the stamps and not having affixed to the packages or container as above defined the stamps as above provided, are hereby declared to be contraband goods, and the same may be seized by the Commission, or its duly authorized agent, or by any peace officer of the state, when directed by the Commission so to do, without a warrant, and said goods shall be offered by the Commission for sale at public auction to the highest bidder after due advertisement, but the Commission before delivering any of said goods so seized shall require the person, so holding, owning, possessing or controlling the said articles, to affix the proper amount of stamps as required by this Title. The proceeds of sale of any goods sold hereunder shall be paid to the Tax Commission: *Provided*, That the cost of confiscation and sale shall be paid out of the proceeds derived from such sale before making said remittance: *Provided, further*, That any vehicle, not a common carrier, which may be used in transporting for the purpose of violating the provisions of this Title any of the articles taxed herein shall likewise be subject to confiscation and sale in the same manner as above provided.

SEC. 89. In all cases of seizure of any property made subject to forfeiture under the provisions of this Title, which, in the opinion of the person making the seizure, is of the appraised value of Twenty-five (\$25.00) Dollars, or more, the said person shall proceed as follows:

(a) He shall cause a list containing a particular description of the property seized to be prepared in duplicate, and an appraisalment thereof to be made by three sworn appraisers to be selected by him, who shall be respectable and disinterested citizens of this state, residing within the county where the seizure was made. Said list and appraisalment shall be properly attested by the said person and the said appraisers, for which service each of the said appraisers shall be allowed the sum of One (\$1.00) Dollar per day for not exceeding two days, to be paid as other costs.

(b) If the property seized is believed, by the person making the seizure, to be of less value than Twenty-five (\$25.00) Dollars, no appraisalment shall be made.

(c) The person making the seizure shall proceed to give notice thereof for five days, in writing, at three places in the county where the seizure is made. One of the notices shall be posted at the county courthouse; another at the place where the goods were seized; and the other at some public place. The notice shall describe the property seized, and the time and place and cause of seizure and give the name and place of residence, if known, of the person from whom the property was seized, and shall require any person claiming it to appear and make such claim in writing, within five days from the date of the first posting of such notice. Such person making the seizure shall also deliver to the person from whom the property was seized, and also to the owner, if known, a copy of the said notice.

(d) Any person claiming the said property seized as contraband, within the time specified in the notice, may file with the Tax Commission a claim, in writing, stating his interest in the property seized, and may execute a bond to the Tax Commission in a penal sum equal to double the value of the property so seized, but in no case shall said bond be less than One Hundred (\$100.00) Dollars, with sureties to be approved

by the clerk of the superior court in the county in which the property is seized, conditioned that in case of condemnation of the property seized, the obligor shall pay to the Tax Commission the full value of the property so seized, and all costs and expenses of the proceedings to obtain such condemnation, including a reasonable attorney's fee. And, upon delivery of such bond to the Tax Commission, it shall transmit the same with the duplicate list or description of the property seized to the prosecuting attorney of the county in which such seizure was made, and said prosecuting attorney shall prosecute the case to secure the forfeiture of said property in the court having jurisdiction. Upon filing the bond aforesaid, the said property shall be delivered to the claimant pending the outcome of the case, provided that he shall at once affix the required stamps thereto.

(e) If no claim is interposed and no bond is filed within the time above specified, such property shall be forfeited, without further proceedings, and the same shall be sold as herein provided, and the proceeds of sale when received by the Tax Commission shall be paid into the state treasury as are other funds collected: *Provided*, That in seizures of property of less value than Twenty-five (\$25.00) Dollars, the same may be advertised with other quantities at Olympia by the Tax Commission and disposed of as hereinbefore provided.

(f) In proceedings to secure a confiscation of the property hereinbefore mentioned, where the value of the goods seized at one time is One Hundred (\$100.00) Dollars, or less, the justice court of the place where the property is situated, shall have jurisdiction to try the cause. Where the value of the property seized at one time is more than One Hundred (\$100.00) Dollars, then the superior court of the county where the property is seized shall have jurisdiction to try the cause.

The proceedings against property seized, according to the provisions of this act, shall be considered a proceeding in rem unless otherwise herein provided.

Within ten days after filing the bond provided for in subdivision (d) hereof, the claimant shall file a petition in the court having jurisdiction of the cause, and the Tax Commission or other party authorized to prosecute the confiscation of said property, shall plead to it as if it were an ordinary action at law, and the same rules of pleading and procedure applicable to actions in the justice court or superior shall be observed in this action, and the costs shall be adjudged as in other actions: *Provided, however*, That neither the state, nor the Tax Commission, nor any other person representing the state shall be liable for the costs in event the court shall not confiscate the property in controversy.

Sec. 90. The Tax Commission may, in its discretion, return any property confiscated under the provisions of this Title, or any part thereof, when it is shown that there was no intention to violate the provisions of this Title: *Provided*, That when any property is confiscated, under the provisions of this Title, the Tax Commission may, in its discretion, return such goods to the parties from whom they were confiscated, if, and when, such parties affix the proper amount of stamps thereto, and pay to the Tax Commission as penalty an amount equal to twenty-five per cent of the amount of tax due and interest thereon at the rate of one per cent for each thirty days or portion thereof from the date the tax became due, and in such cases, no advertisement shall be made nor notices posted in connection with said confiscation.

Sec. 91. When the Tax Commission has good reason to believe that any of the articles taxed herein are being kept, sold, offered for sale, or given away in violation of the provisions of this Title or regulations issued under authority hereof, it may make affidavit of such fact, describing the place or thing to be searched, before any justice of peace, mayor of any city, town or village, or judge of any court in this state, and such justice, mayor or judge shall issue a search warrant directed to the sheriff, any constable, police officer, or duly authorized agent of the Tax Commission, commanding him diligently to search any building, room in a building, place or vehicle as may be designated in the affidavit and search warrant, and to seize such tobacco so possessed and to hold the same until disposed of by law, and to arrest the person in possession or control of the same. If upon the return of such warrant, it shall appear that any of the articles taxed herein, unlawfully possessed, were seized, the same shall be sold as provided in the preceding section.

Sec. 92. The Tax Commission may promulgate rules and regulations providing for the refund to dealers for the cost of stamps affixed to articles taxed herein, which by reason of damage become unfit for sale and are destroyed by the dealer or returned to the manufacturer or jobber. In the case of any articles to which stamps have been affixed, and which articles have been sold and shipped to a regular dealer in such

articles in another state, the seller in this state shall be entitled to a refund of the actual amount of the stamps so affixed, upon condition that the seller in this state shall make affidavit that the articles were sold and shipped outside of the state and that he has received from the purchaser outside the state a written acknowledgement that he has received such articles with the amount of stamps affixed thereto, together with the name and address of such purchaser: *Provided, however,* That the stamps so affixed for which the refund is claimed have been marked void by the seller in this state with the name and address of the seller stamped thereon together with the voidance on the certificate from the purchaser without the state; otherwise, no refund shall be made. The Tax Commission is hereby authorized to redeem any unused stamps purchased from it.

SEC. 93. Every person in this state who sells any of the articles taxed herein by means of any vending machine of any kind or character shall be required before engaging in such business to apply to and obtain from the Tax Commission a certificate to engage in business as a retailer, and shall obtain a separate certificate for each machine used in vending or selling any of the articles taxed herein and each machine so used shall be considered a separate place of business. Such certificate shall be issued upon application in the same manner as provided in Section 187 of Title XVIII of this act. Any articles taxed herein vended by means of any such machine shall bear stamps as evidence that the tax herein imposed has been paid.

SEC. 94. The provisions of this Title shall not apply in any case in which the State of Washington is prohibited from taxing under the constitution of this state or the Constitution or the laws of the United States.

SEC. 95. All of the provisions contained in Title XVIII of this act shall have full force and application with respect to taxes imposed under the provisions of this Title: *Provided,* That the following sections of said Title XVIII shall not apply hereto: Sections 188, 190, 193, 205.

#### TITLE XIII. TAX ON PROPRIETARY MEDICINES AND TOILET PREPARATIONS.

SEC. 96. 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 proprietary medicines and toilet preparations in an amount equal to ten (10%) per cent of the intended retail selling price thereof. Only one sale of the same article shall be used in computing the amount of tax hereunder.

SEC. 97. For the purposes of this Title, unless otherwise required by the context:

(a) The words "person," "sale," and "successor" shall have the same meaning as is attributed to such words in Title II of this act;

(b) The words "retailer," "wholesaler" and "stamp" shall have the same meaning as is attributed to such words in Title XII of this act;

(c) The term "toilet preparations" includes all cosmetics and perfumes, essences, extracts, toilet waters, petroleum jellies, hair oils, pomades, hair dressings, hair restoratives, hair dyes, tooth and mouth washes, dentifrices, tooth pastes, aromatic cachous, toilet powders, and any similar substances, articles or preparations, by whatsoever name known or described, to be used or applied for toilet purposes but not including soaps; "soaps" include all articles containing saponaceous materials excepting dentifrices, tooth pastes, shampoos and shaving soaps or creams, which said excepted articles shall be considered as "toilet preparations;"

(d) The term "proprietary medicines" includes all manufactured medicines that some person or persons have an exclusive right to make or sell;

(e) The term "medicines" means and includes any substance or preparation sold to be used in the prevention, cure or alleviation of any disease or ailment;

(f) The term "package" means the individual package, bottle, or other container in or from which retail sales of proprietary medicines and toilet preparations are normally made or intended to be made;

(g) The term "retail selling price" means the ordinary, customary, or usual price paid by the customer or consumer.

SEC. 98. The taxes imposed under this Title shall be enforced and collected in the same manner as the taxes imposed under Title XII of this act and all of the provisions of said Title XII shall have full force and application with respect to taxes imposed under this Title, excepting Sec. 82 (e) and 83 thereof.

## TITLE XIV. STORE LICENSE TAX.

SEC. 99. There is hereby imposed upon every person opening, establishing, operating or maintaining in this state two or more stores under single ownership, an annual tax for each calendar year during any part of which such stores are operated or maintained, which tax shall be payable at the time of making the application for licenses required under the provisions of Section 100 to be determined as follows:

- (1) Upon two stores, Twenty-five (\$25.00) Dollars for each store;
- (2) Upon each store in excess of two, but not to exceed five, Fifty (\$50.00) Dollars for each such additional store;
- (3) Upon each store in excess of five, but not to exceed ten, One Hundred (\$100.00) Dollars for each such additional store;
- (4) Upon each store in excess of ten, but not to exceed twenty, One Hundred Fifty (\$150.00) Dollars for each such additional store;
- (5) Upon each store in excess of twenty, but not to exceed fifty, Two Hundred (\$200.00) Dollars for each such additional store;
- (6) Upon each store in excess of fifty, Two Hundred Fifty (\$250.00) Dollars for each such additional store.

SEC. 100. Every person subject to the tax imposed by Section 99 shall apply to the Tax Commission for a license for each store within this state under single or common ownership, supervision or management. The application for a license shall be made on a form which shall be prescribed and furnished by the Tax Commission, and shall set forth the name of the owner, manager, lessee or other person desiring such license; the name of such store; the location, including the street number of such store; and such other facts as the Tax Commission may require. One application blank may contain the application for any number of licenses.

SEC. 101. As soon as practicable after the receipt of any application, the Tax Commission shall carefully examine such application to ascertain whether it is in proper form and contains the necessary and requisite information. If, upon examination thereof, the Tax Commission shall find that any such application is not in proper form and does not contain the necessary and requisite information, such application shall be returned for correction. If an application is found to be satisfactory, and if the tax prescribed in Section 99 shall have been paid, the Tax Commission shall issue to the applicant a license for each store for which an application for a license shall have been made. Each licensee shall display the license so issued in a conspicuous place in the store for which such license is issued. Any person, having secured a license as required herein, desiring to change the location of the store for which the license shall have been issued, shall make application to the Tax Commission, on a form provided therefor by the Tax Commission, to have such license corrected so as to show the new location of the store theretofore licensed. Such application shall be accompanied by the license previously issued, but no additional tax shall be assessed under the provisions of Section 99 because of such change of location.

SEC. 102. All licenses shall be so issued as to expire on the thirty-first day of December of each year. On or before the thirty-first day of December of each year, every person having a license, shall apply to the Tax Commission for a renewal license for the calendar year next ensuing. All applications for renewal licenses shall be made on forms which shall be prescribed and furnished by the Tax Commission. Each such application for a renewal license shall be accompanied by a remittance for the amount of the tax due under the provisions of Section 99.

SEC. 103. For the provisions of this Title unless otherwise required by the context: (a) The term "store" means and includes any place of business or mercantile establishment, leased department, stall or stand, in or from which goods, wares, merchandise or commodities of any kind are sold at retail: *Provided, however,* That the word "store" shall not be construed to include warehouses used exclusively for the storage of goods, wares, merchandise or commodities which are withdrawn therefrom in consummation of sales made at a central store: *Provided, further,* That where goods, wares, merchandise or commodities are sold under single or common ownership or supervision from more than one room, building or place, all of which are located within a radius of five hundred feet of a common center and used as inter-related and dependent departments of one unified business establishment, such combination of rooms, buildings or places, for the purposes of this act, shall be construed to be but one store;

(b) The term "single ownership" means not only legal ownership by one person, but also control, supervision, domination or management by one person through legal or equitable ownership, ownership or control of corporate stock or other shares, holding companies, voting trust agreements, trust arrangements, leasing or consignment agreements or any other device whatsoever whereby control, supervision, domination or management is effected or whereby the gross revenue, net revenues or profits from store operations, directly or indirectly, immediately or ultimately, are made available for the beneficial uses or directly or indirectly, inure to the immediate or ultimate benefit of one person.

(c) The meaning ascribed to the words "person," "sale," and "sale at retail" in Title II and all the provisions of Title XVIII of this act in so far as applicable shall have full force and effect with respect to the taxes imposed under the provisions of this Title.

#### TITLE XV. INHERITANCE TAX.

SEC. 104. That Section 1 of Chapter 55 of the Laws of 1901, as amended (Section 11201, Rem. Rev. Stat.), is amended to read as follows:

Section 1. All property within the jurisdiction of this state, and any interest therein, whether belonging to the inhabitants of this state or not, and whether tangible or intangible, which shall pass by will or by the statutes of inheritance of this or any other state, or by deed, grant, sale or gift made in contemplation of the death of the grantor or donor, or by deed, grant or sale or gift made or intended to take effect in possession or in enjoyment after the death of the grantor or donor or by deed, grant or sale or gift made or intended to take effect in possession or in enjoyment after the death of the grantor or donor to any person in trust or otherwise, shall, for the use of the state, be subject to a tax as provided for in Section 2, after the payment of all debts owing by the decedent at the time of his death, the local and state taxes due from the estate prior to his death, and a reasonable sum for funeral expenses, monument or crypt, court costs, including cost of appraisement made for the purpose of assessing the inheritance tax, the fees of executors, administrators or trustees, reasonable attorney's fees, and family allowance not to exceed \$1,000.00, and no other sum, but said debts shall not be deducted unless the same are allowed or established within the time provided by law, \* \* \* \* and all administrators, executors and trustees, and any such grantee under a conveyance, and any such donee under a gift, made during the grantor's or donor's life, shall be respectively liable for all such taxes to be paid by them, with \* \* \* \* interest as hereinafter provided until the same shall have been paid. The inheritance tax shall be and remain a lien on such estate from the death of the decedent until paid. *And whenever property, real or personal, other than real property held by the entirety, is held in the joint names of two or more persons, or deposited in banks or other institutions or depositories in the joint names of two or more persons and payable to either or the survivor, upon the death of one of such persons the right of the surviving joint tenant or tenants, person or persons to the immediate ownership or possession and enjoyment of such property shall be deemed a transfer taxable under the provisions of this act in the same manner as though the whole property to which such transfer relates belonged absolutely to the deceased joint tenant or joint depositor and had been devised or bequeathed to the surviving joint tenant or tenants, person or persons, by such deceased joint tenant or joint depositor by will, excepting therefrom such parts thereof as may be shown to have originally belonged to such surviving joint tenant, joint depositor or person, and never to have been acquired from the decedent for less than a fair consideration in money or money's worth, and if said property shall have been acquired from decedent for less than such fair consideration, there shall be excepted from the value of said property a portion equal to the amount of the consideration so furnished.*

SEC. 105. That Section 5 of Chapter 205 of the Laws of 1929, as amended (Section 11201-a, Rem. Rev. Stat.), is amended to read as follows:

Section 5. Any transfer of property, made by a decedent by deed, grant, sale or gift within \* \* \* \* four years prior to said decedent's death, without a valid and adequate consideration therefor, shall be presumed to have been made in contemplation of death.

SEC. 106. That Section 2 of Chapter 55 of the Laws of 1901, as amended (Section 11202, Rem. Rev. Stat.), is amended to read as follows:

Section 2. \* \* \* \* An inheritance tax shall be imposed on all estates subject to this act and other inheritance tax acts of the State of Washington, at the following rates \* \* \* \*:

*Class A. Any devise, bequest, legacy, gift or beneficial interest to any property or income therefrom which shall \* \* \* \* pass to or for the use or benefit of any grandfather, grandmother, father, mother, husband, wife, \* \* \* \* child or step-child, or any lineal descendant of \* \* \* \* the deceased is hereby denominated as Class A. \* \* \* \* On any amount passing to Class A in excess of \$10,000 up to and including \$25,000, 1%; on any amount in excess of \$25,000 up to and including \$50,000, 2%; on any amount in excess of \$50,000 up to and including \$100,000, 4%; on any amount in excess of \$100,000 up to and including \$200,000, 7%; on any amount in excess of \$200,000 up to and including \$500,000, 9%; on any amount in excess of \$500,000, 10%;*

*Class B. Any devise, bequest, legacy, gift, or beneficial interest to any property or income therefrom which shall \* \* \* \* pass to or for the use or benefit of \* \* \* \* any sister \* \* \* \* or brother \* \* \* \* is denominated Class B. \* \* \* \* On any amount passing to Class B in excess of \$1,000 up to and including \$5,000, 3%; on any amount in excess of \$5,000 up to and including \$10,000, 4%; on any amount in excess of \$10,000 up to and including \$30,000, 7%; on any amount in excess of \$30,000 up to and including \$50,000, 10%; on any amount in excess of \$50,000 up to and including \$100,000, 15%; on any amount in excess of \$100,000, 20%;*

*Class C. Any inheritance, devise, bequest, legacy, gift or beneficial interest to any property or income therefrom which shall \* \* \* \* pass to or for the use or benefit of \* \* \* \* any person or body politic or corporate other than mentioned in Class A and Class B herein, is hereby denominated Class C. \* \* \* \**

*On any amount passing to Class C up to and including \$10,000, 10%; on any amount in excess of \$10,000 up to and including \$25,000, 15%; on any amount in excess of \$25,000 up to and including \$50,000, 20%; on any amount above \$50,000, 25%.*

*The taxes imposed and the exemption with respect to each class of beneficiaries shall be apportioned between the beneficiaries in such class in proportion to the amount receivable by each beneficiary.*

SEC. 107. (a) All the powers of a referee of the superior court having jurisdiction of the estate of a decedent shall be vested in the Tax Commission and its supervisor shall have jurisdiction to require the attendance before him of the executor or administrator of said estate or any person interested therein or any other person whom he may have reason to believe possesses knowledge of the estate of said decedent or knowledge of any property transferred by said decedent within the meaning of this Title or knowledge of any facts that will aid the supervisor or the court in the determination of said tax, but no person shall be required to attend at any place outside of the country in which such decedent resided at the time of his death or in which letters of administration could lawfully issue upon the estate of such decedent;

(b) For the purpose of compelling the attendance of such person or persons, and for the purpose of appraising any property or interest subject to or liable for any inheritance tax hereunder, and for the purpose of determining the amount of tax due thereon, the Tax Commission through its supervisor is hereby authorized to issue subpoenas compelling the attendance of witnesses before said supervisor. The supervisor may examine and take evidence of such witnesses or of such executor or administrator, or other person under oath concerning such property and the value thereof, and concerning the property or the estate of such decedent subject to probate. Any person or persons who shall be subpoenaed by the said supervisor to appear and testify or to produce books and papers, and who shall refuse and neglect to appear and produce books relative to such appraisalment shall be guilty of contempt;

(c) Upon the completion of the investigation by the supervisor he shall file his findings with the clerk of the superior court in the matter of the estate of the decedent, showing the value of the estate and the amount of inheritance tax chargeable against or a lien upon such interest, acquired by virtue of said probate proceedings or by any transfer within the meaning of this act, to any person, institution or corporation acquiring any property by virtue of said probate proceedings, or by any transfer within the meaning of this Title, and shall find the total amount of tax due the State of Washington, which shall be a claim against the estate and a lien upon all the property of the estate until same is paid;

(d) Upon filing said report the clerk of said superior court shall on said day or the next succeeding judicial day give notice of such filing to all persons interested in such proceeding by causing notice thereof to be posted at the courthouse in the county where the court is held, and in addition thereto shall mail to all persons chargeable

with any tax in said report, who have appeared in such proceedings, a copy of said notice;

(e) At any time after the expiration of thirty days thereafter, if no objection to said report be filed, the said superior court or a judge thereof, shall, without further notice, give and make its order confirming said report and fixing the tax in accordance therewith;

(f) At any time prior to the making of such order any person interested in such proceeding may file objections in writing with the clerk of the superior court, and serve a copy thereof upon the supervisor, and the same shall be noted for trial before the court and a hearing had thereon as provided for hearings in probate matters;

(g) Upon the hearing of said objections, the court shall make such order as to it may seem meet and proper in the premises: *Provided*, That for the purposes of said hearing the report of the supervisor shall be presumed to be correct and it shall be the duty of the objector or objectors to proceed in support of said objection or objections;

(h) If it shall appear that any transfer has been made within the meaning of this Title, and the taxability thereof and the liability for such tax and the amount thereof have not been determined and that no proceedings are pending in any court in this state wherein the taxability of such transfer and liability therefor and the amount thereof may be determined, the Tax Commission through its supervisor shall issue a citation ordering and directing the persons who may appear liable therefor or known to own any interest in or part of the property transferred to appear before the said supervisor or other duly authorized agent of the Tax Commission in any county in which under the law, letters of administration could issue upon the estate of the decedent, at a time and place in said citation named not less than ten days nor more than thirty days from the issuance of such citation to be examined under oath by said supervisor or agent concerning property transferred and the character and value thereof;

(i) The said supervisor or agent at the time and place in said citation named, or at such time and place to which he may adjourn said hearing, shall proceed to examine said person or persons, and such witnesses as he may subpoena before him and for the purpose of said hearing, and for the purpose of ascertaining any facts concerning the taxability of said transfer or any taxes due on account of such transfer, said supervisor or agent shall have the powers of a superior court to issue subpoenas compelling the attendance of witnesses before him and to administer oaths and take the evidence of such witnesses under oath concerning such property and the value thereof, and concerning such transfer. Said supervisor or agent shall enter his findings and conclusions in relation to said transfer and said tax, fix and determine the amount of inheritance tax, if any, due the State of Washington, and file his findings in which shall be set forth the amount of inheritance tax due the State of Washington, with the clerk of the superior court of such county. The procedure subsequent to such filing shall conform with the procedure outlined in subdivision (d) of this section and shall have the same effect as provided in subdivision (e) herein and the same shall be a final determination of the tax, subject to such exception as is found in subdivisions (f) and (g) herein, and subject to such procedure as therein outlined;

(j) Should the court determine that the property described in the findings is subject to the lien of the said tax and that said property has been transferred within the meaning of this Title, the court shall afford affirmative relief to the state in said action and a judgment shall be rendered therein in favor of the state ascertaining and determining the amount of said tax, and the person or persons liable therefor and the property chargeable therewith or subject to lien therefor.

No fee shall be charged against the state, the Tax Commission or the supervisor by any officer in this state in any proceeding taken under this Title, nor shall any bond or undertaking be required in any such proceeding.

The orders, decrees, and judgments, fixing tax or determining that no tax is due, shall have the force and effect of judgments in civil actions, and the state or any interested party may appeal to the supreme court;

(k) Actions may be brought against the state by any interested person for the purpose of quieting the title to any property against the lien or claim of lien of any tax or taxes under this Title, or for the purpose of having it determined that any property is not subject to any lien for taxes nor chargeable with any tax under this Title. No such action shall be maintained where any proceedings are pending in any court or before the Tax Commission or the supervisor thereof in this state wherein the taxability of such transfer and the liability therefor and the amount thereof may be determined. All parties interested in said transfer and in the taxability thereof shall

be made parties thereto and any interested person who refuses to join as plaintiff therein may be made a defendant. Summons for the state in said action shall be served upon the Tax Commission by delivering a copy thereof to the supervisor.

Upon the filing of the complaint the court shall enter an order directing the supervisor to hear said matter and to report to the court thereon, and shall direct notice of such time and place to be given for such hearing as the court shall deem proper, and shall refer said matter to said supervisor, who shall have all of the powers of a referee of said court, including the powers prescribed in subdivision (b) of this section. The procedure subsequent to said reference to said supervisor shall conform to the provisions of subdivision (c), (d), (e), (f), and (g) of this section. Should the court determine that the property described in the complaint is subject to the lien of said tax and that said property has been transferred within the meaning of this Title, the court shall grant affirmative relief to the state in said action and judgment shall be rendered therein in favor of the state, ascertaining and determining the amount of said tax and the person or persons liable therefor, and the property chargeable therewith or subject to lien therefor. If the court shall determine that such property or estate is not liable to be charged with any tax under the provision of this Title, it shall enter its decree quieting title to such property against any and all such taxes, and discharging such person or persons from liability therefor;

(l) If after the values have been determined under the state statute for inheritance tax purposes, the same estate is valued under the federal estate tax statute and the value of the property, or any portion thereof, fixed under the federal law, is increased above the value fixed under the state statute as provided in Section 5, Chapter 134, Laws of 1931 (Section 11202-B, Rem. Rev. Stat.) and this valuation under the federal estate tax is accepted by the estate either by agreement or through final determination in the federal court, then in that event, the value as fixed under the state statute upon such property or portion thereof shall be increased to this amount for state inheritance tax purposes;

(m) Where there is property belonging to decedent both within the State of Washington and without the State of Washington exemptions allowed under this Title shall be prorated, and that portion allowed in the State of Washington shall be in that proportion that the value of the property within the State of Washington bears to all the property within and without the State of Washington. In order to secure an exemption where the property is thus situated, the representative must file with the inheritance tax division of the Tax Commission a certified copy of the inventory of all the properties without the State of Washington, and upon his failure so to do, no exemptions will be allowed in this state, whether there is property within this state or without this state;

(n) An executor, administrator or trustee shall not be discharged from liability for such inheritance tax, nor shall a decree of distribution be entered, nor said estate, nor any part of said estate, be distributed until a receipt signed by the State Treasurer showing that the inheritance tax is paid, or a written waiver executed by the supervisor showing that the estate is not subject to inheritance tax, is filed with the clerk of the court, or the court having jurisdiction over such estate shall have determined as herein provided that such estate is not liable to pay an inheritance tax;

(o) When it shall appear that a part or portion of decedent's estate is being administered upon in any other state or territory of the United States, no decree of distribution shall be signed by any court in this state until there has been a receipt filed with the clerk of the superior court showing that the inheritance tax has been paid in full or that there is no tax due in the estates being administered without the State of Washington: *Provided, however,* That this section shall apply only to estates that are being administered in the territories or states of the United States having adopted a similar provision;

(p) It is further provided, that there shall be no exemption allowed where the decedent was not a resident of a territory or state of the United States, and the property of such decedent shall be taxable whether same is tangible or intangible property, including certificates of stock, bonds, bill, notes, bank deposits, and other written evidences of intangible property which are physically situated within the State of Washington, or where the domicile of the debtor is in the State of Washington;

(q) There shall be no attorney's fees, witness' fees, or other costs taxed in favor or against the State of Washington, or the Tax Commission or supervisor thereof nor in favor of or against any party to any proceeding before the Tax Commission, supervisor or any court under the provisions of this Title;

(r) Whenever the supervisor shall have reasonable cause to believe that a tax is due under the provisions of this act, upon any transfer of any property, and that any person, firm, institution, company, association or corporation has possession, custody or control of any books, accounts, papers or documents relating to or evidencing such transfer, the supervisor or his duly authorized agent, is hereby authorized and empowered to inspect the books, records, accounts, papers and documents of any such person, firm, institution, company, association or corporation, including the stock transfer book of any corporation, and to administer oaths to and examine any such person or any officer or agent of such firm, institution, company, association or corporation, for the purpose of acquiring any information deemed necessary or desirable by said supervisor or his assistants, for the proper enforcement of this act, and for the collection of the full amount of the tax which may be due the state hereunder. Any and all information and records acquired by said supervisor, or his assistants, shall be deemed and held by said supervisor and said supervisor's assistants and each of them, as confidential, and shall not be divulged, disclosed or made known by them or any of them except in so far as may be necessary for the enforcement of the provisions of this act. Any supervisor or assistant supervisor, or ex-supervisor or ex-assistant supervisor, or inheritance tax attorney, or ex-inheritance tax attorney, or assistant inheritance tax attorney, or ex-assistant inheritance tax attorney, who shall divulge, disclose, or make known any information acquired by such inspection and examination aforesaid, except in so far as the same may be necessary for the enforcement of the provisions of this act, shall be guilty of a gross misdemeanor.

(s) An officer or agent of any firm, institution, company, association or corporation having or keeping an office within this state, who has in his custody or under his control any book, record, account, paper or document of such firm, institution, company, association or corporation, and any person having in his custody or under his control such book, record, account, paper or document who refuses to give to the supervisor, or said inheritance tax attorney, or any of said assistant inheritance tax attorneys, lawfully demanding, as provided in this section, during office hours to inspect or take a copy of the same, or any part thereof, for the purposes hereinabove provided, a reasonable opportunity so to do, shall be liable to a penalty of not less than One Thousand Dollars nor more than Twenty Thousand Dollars, and in addition thereto shall be liable for the amount of the taxes, interest and penalties due under this act on such transfer, and the said penalties and liabilities for the violation of this section may be enforced in an action brought by the supervisor in any court of competent jurisdiction.

SEC. 108. That Section 4 of Chapter 134 of the Laws of 1931 (Section 11202-A, Rem. Rev. Stat.) is amended to read as follows:

Section 4. All property transferred by a decedent to a father, mother, *grandfather*, *grandmother*, husband, wife, lineal descendant, stepchild, *adopted child*, or lineal descendant of a stepchild or *adopted child* \* \* \* \* : *Providing*, The same was transferred to such decedent not more than \* \* \* \* *one year* prior to his death by another decedent of the class hereinabove described and a tax paid thereon to the State of Washington, shall be exempt; \* \* \* \* : *Provided*, *That this exemption only applies to transfers upon which an inheritance tax was paid in the estate of the first decedent, and where the property so transferred and taxed has increased in value, the increase in value shall be taxed.*

Property exempted under this section must be identified as having been received from the first decedent or as having been acquired in exchange therefor, and the value of such property so exempted shall not be in excess of the value determined for the estate of the first decedent.

SEC. 109. That Section 12 of Chapter 55 of the Laws of 1901, as amended (Section 11210, Rem. Rev. Stat.), is amended to read as follows:

Section 12. All taxes imposed by this act shall take effect and accrue upon the death of the decedent or donor. If such tax is not paid within \* \* \* \* *ten* months from the accruing thereof, interest shall be charged and collected at the rate of \* \* \* \* *six* per centum per annum unless by reason of necessary litigation, *claims upon the estate or other unavoidable delay*, such tax cannot be determined and paid as herein provided, in which case interest at the rate of \* \* \* \* *six* per centum per annum shall be charged upon such tax from and after the time when the cause of such delay is removed. \* \* \* \* .

SEC. 110. That Section 15 of Chapter 55 of the Laws of 1901, as amended (Section 11213, Rem. Rev. Stat.), is amended to read as follows:

Section 15. Upon the filing of any petition for letters of administration or for the probate of any will, the petitioner shall file with the clerk of the court a statement in

such form as the \* \* \* \* *Tax Commission* may prescribe, which statement shall contain a list of *names, ages, and the respective addresses, of the heirs, legatees* \* \* \* \* *and devisees of said estate, if known, and the relationship which each bears to the decedent, together with a statement of the location, nature and probable value of the entire estate, and an estimate of the amount or value of each distributive share, the residence and date of death of decedent, and shall state whether such deceased died testate or intestate, and shall also contain a list and description of all transfers of property, in trust or otherwise, made by the decedent within four years prior to his death as a division or distribution of his estate in contemplation of death or intended to take effect at or after decedent's death so far as shall be known to such petitioner.*

SEC. 111. That Section 18 of Chapter 55 of the Laws of 1901, as amended (Section 11217, Rem. Rev. Stat.), is amended to read as follows:

Section 18. Administrators, executors and trustees of the estates subject to the inheritance tax shall, when demanded by the \* \* \* \* *Tax Commission*, send \* \* \* \* certified copies of such parts of their reports as may be demanded by it \* \* \* \* , and upon refusal of said parties to comply with such demand, it is the duty of the clerk of the court to furnish such copies, and the expense of making the same shall be charged against the estate as are other costs in probate, *and such administrator, executor, or trustee, shall also upon request of the Tax Commission, furnish copies of all deeds, mortgages, trust agreements, insurance policies, and other instruments in writing that within his judgment are necessary for the determination of the inheritance taxes due the State of Washington.* And it shall be the duty of the \* \* \* \* *Tax Commission* to exercise general supervision of the collection of the inheritance taxes provided in this \* \* \* \* *act*, and in the discharge of such duty the \* \* \* \* *Tax Commission through its supervisor* may institute and prosecute such suits or proceedings in the courts of the state as may be necessary and proper, appearing therein for such purpose; and it shall be the duty of the several county attorneys to render assistance therein when called upon by \* \* \* \* *the Tax Commission* so to do. The \* \* \* \* *Tax Commission* shall keep a record in which shall be entered \* \* \* \* memoranda of all the proceedings had in each case, and shall also keep an itemized account showing the amount of such taxes collected, in detail, charging the state treasurer therewith.

SEC. 112. That Section 8 of Chapter 55 of the Laws of 1901, as amended (Section 11205, Rem. Rev. Stat.), is amended to read as follows:

Section 2. When the estate of a deceased person shall be subject to an inheritance tax, and there \* \* \* \* be an annuity, life estate or an estate for a term of years given to one or more persons and the remainder to another or others, the entire estate shall be appraised as other estates are required to be appraised by the laws of this state. The value of the annuity, life or term estate shall be determined according to the rules or standards of mortality and of value commonly used in actuaries' combined experience tables on the basis of four per centum annual interest, and the value of the remainder shall be determined by deducting the amount found to be the value of the annuity, life or term estate from the whole estate. After the values shall have been determined as provided in this section, the tax shall be computed and collected in the same manner that the tax on other estates is computed and collected \* \* \* \* . The State Insurance Commissioner is hereby directed to obtain and publish for the use of courts and appraisers throughout the state tables showing the average expectancy of life and values of annuities and of life and term estates.

SEC. 113. That Section 13 of Chapter 55 of the Laws of 1901, as amended (Section 11211, Rem. Rev. Stat.), is amended to read as follows:

Section 13. The superior court having jurisdiction, shall appoint three suitable, disinterested persons to appraise the estate and effects of deceased persons for inheritance tax purposes, and unless otherwise provided by order of the court, the appraisers appointed under the probate law to appraise the estate and effects of deceased persons, shall be and constitute the appraisers under the provisions of this act: *Provided, however, That* \* \* \* \* *one of such appraisers* \* \* \* \* shall be recommended by the supervisor \* \* \* \* , and appointed by the court as one of the three appraisers, and shall receive a like compensation as each of the other appraisers, \* \* \* \* .

*Any one* may file exceptions to the appraisal *with the supervisor*, which shall be heard and determined by \* \* \* \* *him*. If upon hearing the \* \* \* \* *supervisor* finds the amount at which the property is appraised is its market value and the appraisal was fairly and in good faith made \* \* \* \* *he* shall approve such appraisal; but if \* \* \* \* *he* finds that the appraisal was made at a greater or less sum than the market value of the property or the same was not fairly or in good faith made, \* \* \* \* *he* shall set aside the appraisal and determine such value. \* \* \* \* Anyone interested in the property appraised may appeal to the \* \* \* \* *superior* court from the order of the \* \* \* \* *supervisor* in the premises.

SEC. 114. That Section 7 of Chapter 134 of the Laws of 1931 (Section 11211-A, Rem. Rev. Stat.), is amended to read as follows:

Section 7. \* \* \* \* All real estate and the improvements thereon, of the estate of a deceased person, for the purpose of computing the inheritance tax, shall be *valued and appraised at the fair market value thereof on the day of the death of the decedent owner thereof*. The executor, administrator or trustee in preparing the inventory in all probate cases, shall insert at the right of each real estate tract, the assessed valuation of such tract and of the improvements thereon *for the information of the appraisers and other interested parties*.

SEC. 115. Insurance payable upon the death of any person shall be deemed a part of the estate for the purpose of computing the inheritance tax and shall be taxable to the person, partnership or corporation entitled thereto. Such insurance shall be taxable irrespective of the fact that the premiums of the policy have been paid by some person, partnership or corporation other than the insured, or paid out of the income accruing from principal provided by the assured for such payment, whether such principal was donated in trust or otherwise: *Provided, however*, That there is exempt from the total amount of insurance, regardless of the number of policies, the sum of Forty Thousand Dollars and no more: *Provided, however*, That in the case of insurance upon the life of a decedent officer or employee of a corporation, payable to the corporation, or upon the life of a decedent employee of or partner in a business enterprise, payable to one or more of the partners, where all the premiums upon such policy have been paid exclusively by such beneficiary, upon the death of the decedent the amount only of the proceeds of the policy in excess of the cash surrender value immediately preceding the death of the decedent shall be deemed a part of the estate for the purpose of computing the inheritance tax, and taxed as provided in Class A, Section 106 of this Title.

Where more than one beneficiary is entitled to the benefit of the provisions of this section exempting Forty Thousand Dollars of the proceeds of insurance policies, payable upon death, the benefit of such exemption shall be apportioned among such beneficiaries ratably and proportionately: *Provided*, That where there is fraternal benefit society insurance payable upon the death of the decedent and other insurance payable upon the death of the decedent, the Forty Thousand Dollars exemption shall first be taken from the fraternal benefit society insurance and if the same does not equal Forty Thousand Dollars, then the balance of the Forty Thousand shall be prorated among other policies.

The inheritance tax upon the proceeds of any insurance policy shall be a lien upon the proceeds of such policy in the hands or possession of the estate of the deceased insured or in the hands or possession of any other beneficiary under such policy to whom such proceeds may have been paid: *Provided*, That when proceeds of insurance payable upon death, or receivable by a beneficiary other than the executor or representative, the executor or representative shall recover from such beneficiary the tax due upon such proceeds of such policy or policies. The supervisor shall have power to release such lien with respect to all or any part of such proceeds if he be satisfied that the collection of the tax will not thereby be jeopardized.

Nothing in this Act shall prevent the payment by any insurance company, association or society of the proceeds of any policy upon the death of a decedent to the person entitled thereto, but every insurance company, association or society, whether authorized to transact business within this state or not, having a policy or policies of insurance or death benefit or certificate or certificates in an aggregate amount of One Thousand Dollars or more payable upon the death of a decedent, a resident of this state, shall give a written notice of the death of the decedent and the amount of the policies issued and the names of the beneficiaries to the supervisor in such

form as the supervisor may prescribe, within three days after receiving notice of the death of such decedent. Any insurance company, association or society failing, neglecting or refusing to give such notice to the supervisor as above provided shall be personally liable for the payment of the Inheritance Tax herein provided.

SEC. 116. No corporation organized or existing under the laws of this state shall transfer on its books or issue a new certificate for any share or shares of its capital stock belonging to or standing in the name of a decedent or in trust for a decedent or belonging to or standing in the joint names of a decedent and one or more persons without first giving notice to the supervisor of such transfer, in case the transferee is a resident of this state, or without obtaining the written consent of the supervisor, in case the transferee is a non-resident of this state.

SEC. 117. No safe deposit company, bank, trust company, corporation, or other institution, person or persons engaged in the business of renting safe deposit boxes or other receptacles of similar character shall rent any such box or receptacle without first requiring all persons given access thereto to agree in writing to notify in writing such safe depository bailee or lessor, from whom such box or receptacle is rented of the death of any person having the right of access thereto, before securing access to such box or receptacle after the death of such person; and all persons having the right of access to any such safe deposit box or receptacle upon the death of such other person having access thereto, before securing access to such box or receptacle shall notify in writing such safe depository, bailee, or lessor, from which such box or receptacle is rented of the death of such person; and it shall be unlawful for any safe deposit company, trust company, bank, corporation or other institution, person or persons having in possession or under control, custody or partial custody any safe deposit box or similar receptacle, to permit access thereto by anyone after the death of any person who at the time of his death had the right or privilege of access thereto, of which death said safe deposit company, trust company, bank, corporation, or other institution, person or persons, has knowledge without giving ten days' notice in writing to the supervisor of the time and place when such box or receptacle will be opened, and without permitting the supervisor, or some person by him in writing authorized, to be present, at the opening of such safe deposit box or receptacle and to examine and list the contents thereof.

SEC. 118. No safe deposit company, trust company, corporation, bank or other institution, person or persons having in possession or under control or custody or under partial control or partial custody securities, deposits, assets or property belonging to or standing in the name of a decedent who was a resident or a non-resident or belonging to, or standing in the joint names of such decedent and one or more persons, including the shares of the capital stock of, or other interest in the safe deposit company, trust company, corporation, bank, or other institution making the delivery or transfer herein provided, shall deliver or transfer the same to the executors, administrators, legal representatives, agents, deputies, attorneys, trustees, legatees, heirs, successors in interest of said decedent or to any other person or persons, or to the survivor or survivors when held in the joint name of a decedent and one or more persons, or upon their order or request, with knowledge of the death of said decedent, without retaining a sufficient portion or amount thereof to pay any tax and interest which may thereafter be assessed thereon under this Title and unless notice of the time and place of such delivery or transfer be served upon the supervisor at least ten days prior to said delivery or transfer: *Provided*, That the supervisor, or person by him in writing authorized so to do, may consent in writing to said delivery or transfer, and such consent shall relieve said safe deposit company, trust company, corporation, bank, or other institution, person or persons from the obligation hereunder to give such notice or to retain any portion of said securities, deposit or other assets in their possession or control: *Provided, further*, That nothing in this section shall prevent any bank, trust company or other institution from immediately paying over to the surviving spouse an amount not exceeding One Thousand Dollars from a joint account of a husband and wife. It shall be lawful for the Tax Commission, through its supervisor and its duly authorized agents or representatives, to examine said securities, deposits or assets at the time of said delivery or otherwise.

SEC. 119. Failure to comply with the provisions of Sections 116, 117 or 118 shall render such safe deposit company, trust company, corporation, bank or other institution, person or persons, liable to a penalty of not more than One Thousand Dollars, and in addition thereto said safe deposit company, trust company, corporation, bank or other institution, person or persons shall be liable for the amount of the taxes,

interest and penalties due under the inheritance tax laws of the State of Washington, on said securities, deposits, or other assets above mentioned, and said penalties and liabilities of said safe deposit company, trust company, corporation, bank or other institution, person or persons for the violation of this Title may be enforced in an action brought by the Tax Commission in any court of competent jurisdiction in the State of Washington.

SEC. 120. Any safe deposit company, trust company, bank, corporation or other institution, person or persons having in possession or under control, custody or partial custody any safe deposit box or similar receptacle neglecting or failing to comply with the provisions of Section 117 of this Title shall be guilty of a misdemeanor.

SEC. 121. Whenever any of the real estate of which any decedent may die seized shall pass to any body politic or corporate, or to any person or persons, or in trust for them, or some of them, it shall be the duty of the executor, administrator, or trustee of such decedent to give information thereof in writing to the Tax Commission within three months after they undertake the execution of their expected duties, or if the fact be not known to them within that period, then within one month after the same shall have come to their knowledge.

SEC. 122. In case of any property belonging to a foreign estate, which estate in whole or in part is liable to pay an inheritance tax in this state, the said tax shall be assessed upon the market value of said property remaining after the payment of such debts and expenses as are chargeable to the property under the laws of this state. In the event that the executor, administrator, or trustee of such foreign estate files with the clerk of the court having ancillary jurisdiction, and with the Tax Commission duly certified statements exhibiting the true market value of the entire estate of the decedent owner, and the indebtedness for which the said estate has been adjudged liable, which statement shall be duly attested by the judge of the court having original jurisdiction, the beneficiaries of said estate shall then be entitled to have deducted such proportion of the said indebtedness of the decedent from the value of the property as the value of the property within this state bears to the value of the entire estate.

SEC. 123. That Section 95 of Chapter 156 of the Laws of 1917, as amended (Section 1465, Rem. Rev. Stat.), is amended to read as follows:

Section 95. Every executor, or administrator shall make and return upon oath, into the court within one month after his appointment a true inventory of all of the property of the estate which shall have come into his hands, and within thirty days after filing such inventory he shall make application to the court to appoint three disinterested persons to appraise the property so inventoried, and it shall be the duty of the court to appoint such appraisers. Such appraisers shall receive as compensation for their services each an amount as to the court shall seem just and reasonable, not to exceed \$5.00 per day for the time spent in making such appraisal: *Provided*, That in all estates where an inheritance tax is payable, the court \* \* \* shall fix the compensation of each appraiser at such an amount as the court may deem just and reasonable *notwithstanding the foregoing limitation*. If any part of the estate shall be in another county than that in which the letters are issued, appraisers residing in such county may be appointed by the court having jurisdiction of the case, or, if most advisable, the same appraisers may act: *Provided, however*, That the court may appoint persons to appraise the estate at the time or at any time after the appointment of the administrator \* \* \* \*

SEC. 124. The provisions of the title, except Section 115, shall apply to all cases pending in the inheritance tax and escheat division and to all cases pending in any of the courts of this state, whether on appeal or otherwise, at the time this act takes effect, whether the death of the decedent occurred prior to the passage of this act or subsequent thereto: *Provided, however*, That the inheritance tax now due before the passage of this act may be paid under the law effective immediately before the passage of this act if paid within ten months from the time this law becomes effective: *Provided, further*, That if a portion of the inheritance tax is paid in any estate now pending within the ten months as herein provided, then the increased rates under this Title shall apply only upon the proportionate part of such estate remaining unpaid.

SEC. 125. Section 1 of Chapter 135 of the Laws of 1929, Section 1 of Chapter 202 of the Laws of 1929, as amended, and Section 2 of Chapter 202 of the Laws of 1929, as amended (Sections 11201-1, 11203-1, 11203-2, Rem. Rev. Stat.), and each of

them, is hereby repealed. All acts and parts of acts in conflict with the provisions of this Title are hereby expressly repealed.

SEC. 126. The word "supervisor," as used in this Title, means and refers to the supervisor of the inheritance tax and escheat division of the Tax Commission of the State of Washington.

SEC. 127. The provisions of this Title and each of them shall be effective immediately upon the approval of this act.

#### TITLE XVI. GIFT TAX.

SEC. 128. (a) For the year 1935 and each calendar year thereafter a tax, computed as provided in this Title, shall be imposed upon the transfer during such calendar year by any individual, resident, or non-resident, of property by gift, which tax shall apply whether the gift is in trust or otherwise, whether the gift is direct or indirect, whether the property is real or personal, tangible or intangible, and whether located within or without the State of Washington. But in the case of a non-resident not a citizen of the State of Washington, the tax shall apply to the transfer only if the property is situated within the State of Washington. The tax shall not apply to a transfer made on or before the operative date of this Title;

(b) The tax shall not apply to a transfer of property in trust where the power to vest in the donor title to such property is vested in the donor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of such property or the income therefrom, but the relinquishment or termination of such power (other than by the donor's death) shall be considered to be a transfer by the donor by gift of the property subject to such power, and any payment of the income therefrom to a beneficiary other than the donor shall be considered to be a transfer by the donor of such income by gift.

SEC. 129. The tax for each calendar year shall be an amount equal to the excess of:

(a) A tax, computed in accordance with the Rate Schedule hereinafter set forth, on the aggregate sum of the net gifts for such calendar year and for each of the preceding calendar years, over

(b) A tax, computed in accordance with the Rate Schedule, on the aggregate sum of the net gifts for each of the preceding calendar years.

**RATE SCHEDULE.** Class A. Any gift made to or for the use or benefit of a grandfather, grandmother, father, mother, husband, wife, child or stepchild, or any lineal descendant of the donor is hereby denominated as Class A. On any amount passing to Class A the tax shall be ninety per cent of the amount of a tax computed at the following rates: On any amount up to and including \$25,000, 1%; on any amount in excess of \$25,000 up to and including \$50,000, 2%; on any amount in excess of \$50,000 up to and including \$100,000, 4%; on any amount in excess of \$100,000 up to and including \$200,000, 7%; on any amount in excess of \$200,000 up to and including \$500,000, 9%; on any amount in excess of \$500,000, 10%;

Class B. Any gift made to or for the use or benefit of a brother or sister is denominated Class B. On any amount passing to Class B the tax shall be ninety per cent of the amount of a tax computed at the following rates: On any amount up to and including \$5,000, 3%; on any amount in excess of \$5,000 up to and including \$10,000, 4%; on any amount in excess of \$10,000 up to and including \$30,000, 7%; on any amount in excess of \$30,000 up to and including \$50,000, 10%; on any amount in excess of \$50,000 up to and including \$100,000, 15%; on any amount in excess of \$100,000, 20%;

Class C. Any gift to or for the use or benefit of any person or body politic or corporate other than mentioned in Class A and Class B herein, is hereby denominated Class C. On any amount passing to Class C the tax shall be ninety per cent of the amount of a tax computed at the following rates: On any amount up to and including \$10,000, 10%; on any amount in excess of \$10,000 up to and including \$25,000, 15%; on any amount in excess of \$25,000 up to and including \$50,000, 20%; on any amount above \$50,000, 25%.

SEC. 130. Where property is transferred for less than an adequate and full consideration in money or money's worth, the amount by which the value of the property exceeded the value of the consideration for the purpose of the tax imposed by this Title, shall be deemed a gift, and shall be included in computing the amount of gifts made during the calendar year.

SEC. 131. (a) The term "net gifts" means the total amount of gifts made during the calendar year, less the deductions provided in Section 132;

(b) In the case of gifts (other than of future interest in property) made to any person by the donor during the calendar year, the first Three Thousand Dollars (\$3,000) of such gifts to such person shall not, for the purposes of this Title, be included in the total amount of gifts made during such year.

SEC. 132. In computing net gifts for any calendar year there shall be allowed as deductions:

(a) In the case of (1) gifts to donees listed in Class A of Section 129 a specific exemption of Ten Thousand Dollars and (2) gifts to donees listed in Class B of Section 129 a specific exemption of Three Thousand Dollars, less the aggregate of the amounts claimed and allowed as specific exemption for the preceding calendar years;

(b) In case of a resident or non-resident not a citizen of the State of Washington, the amount of all gifts made during that year of property situated within or under the jurisdiction of the State of Washington shall be exempt from the payment of any tax when the same are for one of the following charitable purposes, namely, the relief of the aged, indigent and poor people, maintenance of sick or maimed, the support or education of orphans or indigent children, and all gifts made to the State of Washington, or to any county, incorporated city or town or school district therein, or to any public park or playground within the State of Washington, whether municipal or otherwise, and all gifts and transfers made to any municipal corporation within the State of Washington for eleemosynary, charitable, educational or philanthropic purposes, and all gifts, bequests, devises, and transfers made to schools and colleges in the state supported in whole or in part by gifts the entire income of which said school or college, after paying the expenses thereof, is devoted to the purposes of such institution and which is open to all persons upon equal terms, and any property in this state which has been given for such purposes is hereby declared to be exempt from the payment for such tax: *Provided*, That all such gifts be limited for use within the State of Washington, and all gifts made to or for the use of any religious or non-sectarian organization or association, organized under the laws of the State of Washington and conducted primarily and chiefly for religious purposes and not for profit, where such religious or non-sectarian organization or association is supported in whole or in part by gifts, endowments or charity, and where the entire income of such religious or non-sectarian organization or association, after paying the expenses thereof, is devoted wholly to the use of such organization or association, or for the educational benevolent, protective or social departments growing out of, or related to, the religious work of such organization or association, shall be exempt from the payment of this gift tax: *Provided*, That all such gifts be limited for use within the State of Washington.

SEC. 133. If the gift is made in property, the value thereof at the time of the gift shall be considered the amount of the gift.

SEC. 134. (a) Any individual who within the calendar year of 1935 or any calendar year thereafter makes any transfers by gift (except those which under Section 132 are not to be included in the total amount of gifts for such year) shall make a return under oath in duplicate. The return shall set forth (1) each gift made during the calendar year which under Section 131 is to be included in computing net gifts; (2) the deductions claimed and allowable under Section 132; (3) the net gifts for each of the preceding calendar years; and (4) such further information as may be required by regulations made pursuant to law;

(b) The return shall be filed on or before the first day of February following the close of the calendar year with the Tax Commission.

SEC. 135. (a) BY DONOR. Every person liable to any tax imposed by this Title or for the collection thereof, shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations, as the Tax Commission may from time to time prescribe;

(b) Whenever it is necessary in the judgment of the Tax Commission it may require any person, by notice served upon him, to make a return, render under oath such statements, or keep such records, as the Tax Commission deems sufficient to show whether or not such person is liable to tax under this Title.

SEC. 136. (a) The tax imposed by this Title shall be paid by the donor on or before the first day of February following the close of the calendar year.

(b) A tax imposed by this Title may be paid, at the election of the donor, prior to the date prescribed for its payment;

(c) All moneys to be paid under this Title shall be paid to the State Treasurer.

SEC. 137. The tax imposed by this Title shall be a lien upon each gift made during the calendar year for the proportion of such tax that the amount of the gift (less the \$1,000 exemption) bears to the net gifts, for ten years from the time the gifts are made. If the tax is not paid when due, the donee of any gift shall be personally liable for such proportion of such tax. Any part of the property comprised in the gift sold by the donee to a bona fide purchaser for an adequate and full consideration in money or money's worth shall be divested of the lien herein imposed and the lien, to the extent of the value of such gift, shall attach to all the property of the donee (including after-acquired property) except any part sold to a bona fide purchaser for an adequate and full consideration in money or money's worth. If the Tax Commission is satisfied that the tax liability has been fully discharged or provided for, it may, under regulations prescribed by it, issue its certificate, releasing any or all of the property from the lien herein imposed.

SEC. 138. As soon as practicable after the return is filed the Tax Commission shall examine it and shall determine the correct amount of the tax.

SEC. 139. As used in this Title in respect of the tax imposed by this Title the term "deficiency" means:

(a) The amount by which the tax imposed by this act exceeds the amount shown as the tax by the donor upon his return; but the amount so shown on the return shall first be increased by the amounts previously assessed (or collected without assessment) as a deficiency, and decreased by the amounts previously abated, refunded, or otherwise repaid in respect of such tax; or

(b) If no amount is shown as the tax by the donor upon his return, or if no return is made by the donor, then the amount by which the tax exceeds the amounts previously assessed (or collected without assessment) as a deficiency; but such amounts previously assessed, or collected without assessment shall first be decreased by the amounts previously abated, refunded, or otherwise repaid in respect of such tax.

SEC. 140. (a) If the Tax Commission determines that there is a deficiency in respect to the tax imposed by this Title, it is authorized to send notice of such deficiency to the donor by registered mail. Within thirty days after such notice is mailed the donor may have the decision of the Tax Commission reviewed by filing a petition in the Superior Court for Thurston County, Washington, for determination of the deficiency. No assessment of a deficiency in respect of the tax imposed by this Title, and no distraint or proceeding in court for its collection shall be made, begun or prosecuted until such notice has been mailed to the donor, nor until the expiration of such thirty days; nor if a petition be filed with the superior court for review until the decision has become final;

(b) If the donor files a petition for review, the entire amount redetermined as a deficiency by the decision of the court shall become final and shall be assessed and shall be paid upon notice and demand from the Tax Commission. No part of the amount determined as a deficiency by the Tax Commission, but disallowed as such by the decision of the court, shall be assessed or collected by distraint or by proceedings in court without assessment;

(c) If the donor does not file a petition for review as provided herein within the time prescribed, the deficiency, notice of which has been mailed to the donor, shall be assessed and shall be paid upon notice and demand of the Tax Commission;

(d) The donor shall at any time have the right, by a signed notice in writing filed with the Tax Commission, to waive the restrictions provided herein on the assessment and collection of the whole or any part of the deficiency;

(e) The Tax Commission shall have jurisdiction to redetermine the correct amount of the deficiency even if the amount so redetermined is greater than the amount of the deficiency, notice of which has been mailed to the donor, and to determine whether any additional amount or addition to the tax should be assessed, if claim therefor is asserted by the Tax Commission at or before the hearing or rehearing.

(f) If the Tax Commission has mailed to the donor notice of a deficiency as provided herein, and the donor files a petition with the Tax Commission within the time prescribed, the Tax Commission shall have no right to determine any additional deficiency in respect to the same calendar year, except in the case of fraud, and except as provided in this section, relating to assertion of greater deficiencies before the Tax Commission, or the making of jeopardy assessments. If the donor is notified that, on account of a mathematical error appearing upon the face of the return, an amount of tax in excess of that shown upon the return is due, and that an assessment of the

tax has been or will be made on the basis of what would have been the correct amount of tax but for the mathematical error, such notice shall not be considered (for the purposes of this Title) as a notice of a deficiency, and the donor shall have no right to file a petition with the Tax Commission based on such notice, nor shall such assessment or collection be prohibited by the provisions hereof;

(g) The Tax Commission in redetermining a deficiency in respect of any calendar year shall consider such facts with relation to the taxes for other calendar years as may be necessary correctly to redetermine the amount of such deficiency, but in so doing shall have no jurisdiction to determine whether the tax for any other calendar year has been overpaid or underpaid;

(h) For the purposes of this Title the date of the decision of the superior court shall be final unless there is an appeal taken to the supreme court;

(i) Where it is shown to the satisfaction of the Tax Commission that the payment of the deficiency upon the date prescribed for the payment thereof, will result in undue hardship to the donor, the Tax Commission, except where the deficiency is due to negligence, to intentional disregard of the rules and regulations, or to fraud with intent to evade the tax, may grant an extension for the payment of such deficiency or any part thereof, for a period not in excess of six months. If an extension is granted, the Tax Commission shall require the donor to furnish a bond in such amount, not exceeding double the amount of the deficiency, and with such sureties as the Tax Commission deems necessary conditioned upon the payment of the deficiency in accordance with the terms of the extension;

(j) In the absence of notice to the Tax Commission of the existence of a fiduciary relationship notice of a deficiency in respect of the tax imposed by this Title, if mailed to the donor at his last known address, shall be sufficient for the purposes of this Title, even if such donor is deceased, or is under a legal disability.

SEC. 141. (a) If the Tax Commission believes that the assessment or collection of a deficiency will be jeopardized by delay, it shall immediately assess such deficiency (together with all interest, additional amounts or additions to the tax provided for by law) and notice and demand shall be made by the Tax Commission for the payment thereof;

(b) If the jeopardy assessment is made before any notice in respect of the tax to which the jeopardy assessment relates has been mailed, then the Tax Commission shall mail a notice within sixty days after the making of the assessment;

(c) The jeopardy assessment may be made in respect of a deficiency greater or less than that notice of which has been mailed to the donor, despite the provisions of this Title prohibiting the determination of additional deficiencies, and whether or not the donor has theretofore filed a petition with the superior court;

(d) When a jeopardy assessment has been made, the donor, within ten days after notice and demand for the payment of the amount of the assessment, may obtain a stay of collection of the whole or any part of the amount of the assessment by filing with the Tax Commission a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties as the Tax Commission deems necessary, conditioned upon the payment of so much of the amount, the collection of which is stayed by the bond, as is not abated by a decision of the superior court which has become final, together with interest thereon as provided herein;

(e) If the bond is given before the donor has filed his petition with the superior court the bond shall contain a further condition that if a petition is not filed within the period provided in this Title, then the amount, the collection of which is stayed by the bond, will be paid on notice and demand at any time after the expiration of such period, together with interest thereon at the rate of six per cent per annum from the date of the jeopardy notice and demand to the date of notice and demand under this subsection;

(f) Upon the filing of the bond the collection of so much of the amount assessed as is covered by the bond shall be stayed. The donor shall have the right to waive such stay at any time in respect of the whole or any part of the amount covered by the bond, and if as a result of such waiver any part of the amount covered by the bond is paid, then the bond shall, at the request of the donor, be proportionately reduced. If the Tax Commission determines that the amount assessed is greater than the amount which should have been assessed then when the decision of the superior court is rendered the bond shall, at the request of the donor, be proportionately reduced;

(g) When the petition has been filed with the superior court and when the amount which should have been assessed has been determined by a decision of the

court which has become final, then any unpaid portion, the collection of which has been stayed by the bond, shall be collected as part of the tax upon notice and demand from the collector, and any remaining portion of the assessment shall be abated. If the amount already collected exceeds the amount determined as the amount which should have been assessed, such excess shall be credited or refunded by the State of Washington. If the amount determined as the amount which should have been assessed is greater than the amount actually assessed, then the difference shall be assessed and shall be collected as part of the tax upon notice and demand from the Tax Commission.

SEC. 142. No claim in abatement shall be filed in respect of any assessment in respect of any tax imposed by this Title.

SEC. 143. (a) Except as otherwise herein provided, the amount of taxes imposed by this Title shall be assessed within one year after the return is filed, and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of three years after the return was filed;

(b) In the case of false or fraudulent return with intent to evade tax or of failure to file return the tax may be assessed or a proceeding in court for the collection of such tax may be begun without assessment at any time;

(c) Where the assessment of any tax imposed by this Title has been made within the statutory period of limitation properly applicable thereto such tax may be collected by distraint or by a proceeding in court, but only if begun (1) within six years after the assessment of the tax, or (2) prior to the expiration of any period for collection agreed upon in writing by the Tax Commission and the donor.

SEC. 144. The running of the statute of limitations provided herein on the making of assessments and the beginning of distraint or a proceeding in court for collection, in respect of any deficiency, shall (after the mailing of notice) be suspended for the period during which the Tax Commission is prohibited from making the assessment or beginning distraint or a proceeding in court, and for sixty days thereafter.

SEC. 145. In case of any failure to make and file a return required by this Title, within the time prescribed by law or by the Tax Commission in pursuance of law, twenty-five per cent of the tax shall be added to the tax, except that when a return is filed after such time and it is shown that the failure to file it was due to reasonable cause and not due to wilful neglect no such addition shall be made to the tax. The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, in which case the amount so added shall be collected in the same manner as the tax.

SEC. 146. (a) If any part of any deficiency is due to negligence or intentional disregard of rules and regulations but without intent to defraud, five per cent of the total amount of the deficiency (in addition to such deficiency) shall be assessed, collected, and paid in the same manner as if it were a deficiency, except that the provisions relating to interest on deficiencies shall not be applicable;

(b) If any part of any deficiency is due to fraud with intent to evade the tax, then fifty per cent of the total amount of the deficiency (in addition to such deficiency) shall be so assessed and collected, and paid, in lieu of the fifty per cent addition to the tax provided.

SEC. 147. (a) If the time for payment of the amount determined as the tax by the donor is extended under the authority of this Title, there shall be collected as a part of such amount interest thereon at the rate of six per cent per annum from the date when such payment should have been made if no extension had been granted, until the expiration of the period of the extension;

(b) In case an extension for the payment of a deficiency is granted, there shall be collected as a part of the tax, interest on the part of the deficiency the time for payment of which is so extended, at the rate of six per cent per annum for the period of extension, and no other interest shall be collected on such part of the deficiency for such period.

SEC. 148. Interest upon the amount determined as a deficiency shall be assessed at the same time as the deficiency, shall be paid upon notice and demand from the Tax Commission, and shall be collected as a part of the tax, at the rate of six per cent per annum from the due date of the tax to the date the deficiency is assessed, or, in case of waiver under Section 140 (d) of this Title, to the thirtieth day after the filing of such waiver or the date the deficiency is assessed, whichever is the earlier.

SEC. 149. In the case of the amount collected under Section 141 (d) there shall be collected at the same time as such amount, and as a part of the tax, interest at the rate of six per cent per annum upon such amount from the date of the jeopardy notice and demand to the date of notice and demand under Section 141 (g), or, in case of the amount collected in excess of the amount of the jeopardy assessment, interest as provided in Section 148.

SEC. 150. (a) Where the amount determined by the donor as the tax imposed by this Title, or any part of such amount, is not paid on the due date of the tax, there shall be collected as a part of the tax, interest, upon the unpaid amount at the rate of one per cent per month from the due date until it is paid;

(b) Where an extension of time for payment of the amount so determined as the tax by the donor has been granted, and the amount the time for payment of which has been extended, and the interest thereon determined under Section 147 (a), is not paid in full prior to the expiration of the period of the extension, then, in lieu of the interest provided for in paragraph (a) of this section, interest at the rate of one per cent per month shall be collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid;

(c) Where a deficiency, or any interest assessed in connection therewith under Section 148 or any addition to the tax provided for in this Title, is not paid in full within ten days from the date of notice and demand from the Tax Commission, there shall be collected as part of the tax, interest upon the unpaid amount at the rate of one per cent a month from the date of such notice and demand until it is paid;

(d) If a bond is filed, as provided in Section 141 of this Title, the provisions of paragraph (a) of this subsection shall not apply to the amount covered by the bond;

(e) If the part of the deficiency, the time for payment of which is extended as provided in Section 140 (i), is not paid in accordance with the terms of the extensions, there shall be collected, as a part of the tax, interest on such amount at the rate of one per cent per month for the period from the time fixed by the terms of the extension for its payment until it is paid, and no other interest shall be collected on such unpaid amount for such period;

(f) If the amount included in the notice and demand from the Tax Commission under Section 141 (g) is not paid in full within ten days after such notice and demand, then there shall be collected, as part of the tax, interest upon the unpaid amount at the rate of one per cent a month from the date of such notice and demand until it is paid.

SEC. 151. (a) Any person required under this Title to pay any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of the computation, assessment or collection of any tax imposed by this Title, who wilfully fails to pay such tax, make such return, keep such records, or supply such information, at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than Ten Thousand (\$10,000.00) Dollars, or imprisoned for not more than one year, or both, together with the costs of prosecution;

(b) Any person who wilfully attempts in any manner to evade or defeat any tax imposed by this Title or the payment thereof, shall in addition to other penalties provided by law, be guilty of a felony and, on conviction thereof, be fined not more than Ten Thousand (\$10,000.00) Dollars, or imprisoned for not more than five years, or both, together with costs of prosecution.

SEC. 152. (a) The amount of the following liabilities shall, except as hereinafter provided, be assessed, collected, and paid in the same manner and subject to the same provisions and limitations as in the case of a deficiency in the tax imposed by this Title (including the provisions in case of delinquency in payment after notice and demand, the provisions authorizing distraint and proceedings in court for collection, and the provisions prohibiting claims and suits for refunds):

(1) The liability, at law or in equity, of a transferee of property of a donor, in respect to the tax (including interest, additional amounts, and additions to the tax provided by law) imposed by this Title:

(a) The liability of a fiduciary in respect of the payment of any such tax from the estate of the donor;

Any such liability may be either as to the amount of tax shown on the return or as to any deficiency in tax;

(b) The period of limitation for assessment of any such liability of a transferee or fiduciary shall be as follows:

(1) Within one year after the expiration of the period of limitation for assessment against the donor;

(2) If a court proceeding against the donor for the collection of the tax has been begun within the period provided in paragraph (1), then within one year after return of execution in such proceeding:

(c) For the purposes of this section, if the donor is deceased, the period of limitation for assessment against the donor shall be the period that would be in effect had the death not occurred;

(d) The running of the statute of limitations upon the assessment of the liability of a transferee or fiduciary shall, after the mailing of the notice under Section 140 (a) to the transferee or fiduciary, be suspended for the period during which the Tax Commission is prohibited from making the assessment in respect of the liability of the transferee or fiduciary (and in any event, if a proceeding in respect of the liability is placed on the docket of the superior court, until the decision of the court becomes final), and for sixty days thereafter;

(e) No suit shall be maintained in any court for the purpose of restraining the assessment or collection of (1) the amount of the liability, at law or in equity of a transferee of property of a donor in respect of any gift tax, or (2) the amount of the liability of a fiduciary under this Title, in respect of any such tax;

(f) As used in this section, the term "transferee" includes donee, heir, legatee, devisee, and distributee;

(g) In the absence of notice to the Tax Commission under Section 153 (b) of the existence of a fiduciary relationship, notice of liability enforceable under this section in respect of a tax imposed by this Title, if mailed to the person subject to the liability at his last known address, shall be sufficient for the purposes of this Title even if such person is deceased, or is under legal disability, or, in the case of a corporation, has terminated its existence.

SEC. 153. (a) Upon notice to the Tax Commission that any person is acting in a fiduciary capacity such fiduciary shall assume the power, rights, duties and privileges of the donor in respect of a tax imposed by this Title (except as otherwise specifically provided and except that the tax shall be collected from the estate of the donor), until notice is given that the fiduciary capacity has terminated;

(b) Upon notice to the Tax Commission that any person is acting in a fiduciary capacity for a person subject to the liability specified in Section 91, the fiduciary shall assume on behalf of such person, the powers, rights, duties, and privileges of such person under such section (except that the liability shall be collected from the estate of such person), until notice is given that the fiduciary capacity has terminated;

(c) Notice shall be given in accordance with the regulations prescribed by the Tax Commission.

SEC. 154. (a) Where there has been an overpayment of any tax imposed by this Title, the amount of such overpayment shall be credited against any gift tax then due from the taxpayer, and any balance shall be refunded by the State of Washington to the taxpayer;

(b) LIMITATION ON ALLOWANCE. (1) No such credit or refund shall be allowed or made after two years from the time the tax was paid, unless before the expiration of such period a claim therefor is filed by the taxpayer;

(2) The amount of the credit or refund shall not exceed the portion of the tax paid during the three years immediately preceding the filing of the claim, or if no claim was filed, then during the three years immediately preceding the allowance of the credit or refund;

(c) If the Tax Commission has mailed to the taxpayer a notice of deficiency under Section 140 (a) and if the taxpayer files a petition with the superior court within the time prescribed in such section, no credit or refund in respect of the tax for the calendar year in respect of which the Tax Commission has determined the deficiency shall be allowed or made and no suit by the taxpayer for the recovering of any part of such tax shall be instituted in any court except:

(1) As to the overpayments determined by a decision of the court which has become final; and

(2) As to any amount collected in excess of an amount computed in accordance with the decision of the court which has become final; and

(3) As to any amount collected after the period of limitation upon the beginning

of distraint or a proceeding in court for collection has expired; but in any such claim for credit or refund or in any such suit for refund the decision of the court which has become final, as to whether such period has expired before the notice of deficiency was mailed, shall be conclusive;

(d) If the court finds that there is no deficiency and further finds that the taxpayer has made an overpayment of tax in respect of the taxable year in respect of which the Tax Commission determined the deficiency, the court shall have jurisdiction to determine the amount of such overpayment, and such amount shall, when the decision of the court has become final, be credited or refunded to the taxpayer. No such credit or refund shall be made of any portion of the tax paid more than three years before the filing of the claim or the filing of the petition, whichever is earlier.

SEC. 155. The Tax Commission shall prescribe and publish all needful rules and regulations for the enforcement of this Title.

SEC. 156. (a) The term "calendar year" indicates only the calendar year 1935 and succeeding calendar years, and, in the case of the calendar year 1935, includes only the portion of such year after the date of the enactment of this Title;

(b) Stock in a domestic corporation owned and held by a non-resident shall be deemed property situated within the State of Washington.

SEC. 157. This Title may be cited as the "Gift Tax Act of 1935."

SEC. 158. The provisions of this Title and each of them shall take effect immediately upon the approval of this act.

#### TITLE XVII. CORPORATE NET INCOME TAX.

SEC. 159. For the purposes of this Title, unless otherwise required by the context:

(a) The term "taxpayer" means any bank or corporation as hereinafter defined subject to the tax imposed by this Title;

(b) The term "corporation" includes every corporation and every company, joint-stock company, joint-stock association, business, trust, society or other association organized for profit and doing business in this state wherein interest or ownership is evidenced by certificates or other written instruments or wherein the interests or rights of shareholders, members, associates or beneficiaries are represented or evidenced by units or shares;

(c) The term "income year" means the calendar year or the fiscal year upon the basis of which the net income is computed under this Title; if no fiscal year has been established, it means the calendar year;

(d) The term "fiscal year" means an income year ending on any day other than the thirty-first of December;

(e) The term "bank" includes national banking associations;

(f) The term "doing business" includes any transaction or transactions in the course of its business by a national banking association, or by a bank or corporation created under the laws of this state or by a foreign corporation qualified to do and doing business in this state;

(g) The term "paid," for the purposes of this Title, means "paid or accrued" or "paid or incurred" and the terms "paid or accrued," "paid or incurred" and "incurred" shall be construed according to the method of accounting upon the basis of which net income is computed under this Title;

(h) The term "received" means "received or accrued" and the term "received or accrued" shall be construed according to the method of accounting upon the basis of which net income is computed under this Title;

(i) The term "domestic corporation" means any corporation as defined in this Title organized and existing under the laws of the State of Washington;

(j) The term "foreign corporation" means any corporation as defined in this Title, organized and existing under the laws of any sovereign state, district or territory, other than the State of Washington, or any country other than the United States;

(k) The term "annual license fees" means the annual corporate license fees imposed under the provisions of Sections 4 and 5, Chapter 227, Laws of 1929, or acts amendatory thereof, or any other similar license fees imposed in lieu of such annual corporate license fees.

SEC. 160. Every national bank or national banking association located within this state shall annually pay to the state a tax according to, or measured by, its net income equal to four per cent of such net income for the preceding calendar year or fiscal year computed and allocated to this state in the manner hereinafter provided.

The state is hereby adopting the fourth method of taxing national banks as authorized by the Act of March 25, 1926, amending Section 5219 of the Revised Statutes of the United States.

SEC. 161. Every bank and corporation other than a national bank or national banking association, for the privilege of exercising its corporate franchise in this state or for the privilege of doing business in this state, shall annually pay to the state, in addition to annual license fees, a tax according to, or measured by, its net income equal to four per cent of such net income for the preceding calendar year or fiscal year computed and allocated to this state in the manner hereinafter provided.

SEC. 162. Such tax shall be first computed according to, or measured by, the net income of the bank or corporation received during the calendar year ending December 31, 1935, or during any fiscal year ending during such calendar year, and annually thereafter, and shall be assessed, collected and paid at the times and in the manner hereinafter provided.

SEC. 163. The following corporations shall be exempt from the tax provided by this Title:

(a) Insurance companies taxed on the basis of premiums under the provisions of Section 26 of Chapter 49 of the Laws of 1911, as amended (Rem. Rev. Stat., Sec. 7071);

(b) Labor, agricultural or horticultural organizations;

(c) Fraternal beneficiary societies, orders, or associations, (1) operating under the lodge system or for the exclusive benefit of the members of a fraternity itself operating under the lodge system; and (2) providing for the payment of life, sick, accident, or other benefits to the members of such society, order, or association or their dependents;

(d) Cemetery companies owned and operated exclusively for the benefit of their members or which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(e) Corporations, and any community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

(f) Business leagues, chambers of commerce, real estate boards, or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual;

(g) Civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to the employees of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes;

(h) Clubs organized and operated exclusively for pleasure, recreation, and other non-profitable purposes, no part of the net earnings of which inures to the benefit of any private shareholder;

(i) Benevolent life insurance associations of a purely local character, mutual ditch or irrigation companies, mutual or cooperative telephone companies, or like organizations; but only if eighty-five per cent or more of the income consists of amounts collected from members for the sole purpose of meeting losses and expenses;

(j) Farmers' or other mutual hail, cyclone, casualty, or fire insurance companies or associations (including interinsurers and reciprocal underwriters) the income of which is used or held for the purpose of paying losses and expenses;

(k) Farmers', fruit growers', or like associations organized and operated on a cooperative basis (1) for the purpose of marketing the products of members or other producers, and turning back to them the proceeds of sales, less the necessary marketing expenses, on the basis of either the quantity or the value of the products furnished by them, or (2) for the purpose of purchasing supplies and equipment for the use of members or other persons, and turning over such supplies and equipment to them at actual cost, plus necessary expenses. Exemption shall not be denied any such association because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the state of incorporation or eight per cent

per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the association upon dissolution or otherwise, beyond the fixed dividends) is owned by producers who market their products or purchase their supplies and equipment through the association; nor shall exemption be denied any such association because there is accumulated and maintained by it a reserve required by state law or a reasonable reserve for any necessary purpose. Such an association may market the products of nonmembers in an amount the value of which does not exceed the value of the products marketed for members, and may purchase supplies and equipment for nonmembers in an amount the value of which does not exceed the value of the supplies and equipment purchased for members: *Provided*, The value of the purchases made for persons who are neither members nor producers does not exceed fifteen per cent of the value of its purchases. Business done for the United States or any of its agencies shall be disregarded in determining the right to exemption under this paragraph;

(l) Corporations, organized by an association exempt under the provisions of paragraph (k), or members thereof, for the purpose of financing the ordinary crop operations of such members or other producers, and operated in conjunction with such association. Exemption shall not be denied any such corporation because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the state of incorporation or eight per cent per annum, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the corporation, upon dissolution or otherwise, beyond the fixed dividends) is owned by such association, or members thereof; nor shall exemption be denied any such corporation because there is accumulated and maintained by it a reserve required by state law or a reasonable reserve for any necessary purpose;

(m) Corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this Title;

(n) Corporations which the State of Washington is prohibited from taxing under the Constitution and laws of the United States;

(o) Voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (1) no part of their net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (2) eighty-five per cent or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses;

(p) Teachers' retirement fund associations of a purely local character, if (1) no part of their net earnings inures (other than through payment of retirement benefits) to the benefit of any private shareholder or individual, and (2) the income consists solely of amounts received from public taxation, amounts received from assessments upon the teaching salaries of members, and income in respect of investments;

(q) Fair corporations organized for the purpose of holding agricultural, horticultural, dairy and livestock, educational or manufacturing exhibitions, no part of the net earnings of which inures to the benefit of any private stockholder or individual;

(r) The exemptions granted by this section shall not be construed to exempt any of the corporations herein enumerated from the payment of any annual license fee required to be paid by them under any existing statute of this state for the privilege of exercising its corporate franchise in the state or for the privilege of doing business in the state.

Sec. 164. The term "gross income" includes gain, profits and income derived from the business, of whatever kind or in whatever form paid; gains, profits and income from trades, businesses, commerce or sales or dealings in real or personal property; gains, profits and income received as compensation for services, as interest, rent, commissions, brokerage or other fees, or otherwise received in carrying on such business; all interest received on bonds or other evidences of indebtedness, and, except as herein otherwise provided, all dividends received on stocks.

SEC. 165. The term "gross income" shall not include the following items:

(a) Amounts received under life insurance policies paid by reason of the death of the insured, but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income;

(b) Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts) under life insurance, endowment or annuity contracts, either during the term or at maturity or upon the surrender of the contract, equal to the total amount of premiums paid thereon. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment or annuity contract or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be excluded from gross income under this subdivision or subdivision (a) of this section;

(c) The value of property acquired by gift, bequest or devise, but the income from such property shall be included in gross income;

(d) Dividends from a corporation taxed under the provisions of this Title, but only to the extent that the income of the corporation paying the dividend has been used as the measure of a tax under this Title;

(e) Stock dividends or subscription rights; but gain may be derived or loss sustained by the shareholders from the sale of such stock or of such rights. The amount of gain derived or loss sustained from the sale of such stock or rights or the sale of the stock or rights in respect to which the stock or rights are issued or the sale of the stock acquired with such rights shall be determined as provided in this Title for determination of gain or loss.

SEC. 166. The term "net income" means the gross income of a taxpayer less deductions allowed by this Title.

SEC. 167. In computing net income the following deductions shall be allowed:

(a) All ordinary and necessary expenses paid or incurred during the income year in carrying on the business, including a reasonable allowance for salaries or other compensation for personal services actually rendered, and rentals or other payments required to be made as a condition to the continued use or possession, for the purposes of the business, of property to which the taxpayer has not taken or is not taking title or in which it has no equity;

(b) All interest paid or accrued within the income year on indebtedness incurred in connection with the business of the taxpayer. Amounts paid or credited on or apportioned by a savings and loan association, mutual savings bank or organization of a like character operating wholly or partly on a mutual plan upon withdrawable shares or deposits in such institutions, shall be construed as interest within the meaning of this provision.

(c) Taxes paid or accrued within the income year, in respect of the income from the taxpayers' business or in respect of the business or the property used therein or which may be made the condition of carrying on the business, imposed by authority of the United States or the State of Washington, except taxes imposed by this Title and taxes assessed for local benefits of a kind tending to increase the value of the property assessed;

(d) Losses sustained during the income year and not compensated for by insurance or otherwise, if incurred in connection with the business. In the case of any loss claimed to have been sustained in any sale or other disposition of shares of stock or securities where it appears that within thirty days before or after the date of such sale or other disposition the taxpayer has acquired (otherwise than by bequest or inheritance) or has entered into a contract or option to acquire substantially identical property, and the property so acquired is held by the taxpayer for any period after such sale or other disposition, no deduction, for the loss shall be allowed unless the claim is made by a taxpayer, a dealer in stocks or securities, and with respect to a transaction made in the ordinary course of its business. If such acquisition or the contract or option to acquire is to the extent of part only of substantially identical property then only a proportionate part of the loss shall be disallowed. Upon the subsequent sale or disposition of shares of stock or securities, in respect of which a loss has been disallowed, the basis for measuring gain or loss in the case of the property so acquired shall be the basis in the case of the stock or securities so sold or disposed of, except that if the re-purchase price was in excess of the sale price such basis shall be increased in the amount of the difference, or if

the re-purchase price was less than the sale price such basis shall be decreased in the amount of the difference;

(e) Debts ascertained to be worthless and charged off within the income year, or, in the discretion of the commission, a reasonable addition to a reserve for bad debts. When satisfied that a debt is recoverable only in part, the Commission may allow such debt to be charged off in part;

(f) A reasonable allowance for the exhaustion, wear and tear and obsolescence of property to be allowed upon the basis provided in Sections 113 and 114 of that certain Act of Congress of the United States known as the "Revenue Act of 1934" which are, for the purposes of this subdivision, hereby referred to and incorporated with the same force and effect as though fully set forth herein;

(g) In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements according to the peculiar conditions in each instance, such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the Commission. In the case of leases the deduction shall be equitably apportioned between the lessor and lessee. The basis upon which depletion is to be allowed in respect of any property, and the amount of depletion allowable shall be as provided in Sections 113 and 114 of the said Revenue Act of 1934, which are, for the purposes of this subdivision, hereby referred to and incorporated with the same force and effect as though fully set forth herein;

(h) Contributions and gifts made within the income year to or for the use of the United States, the State of Washington or any political subdivision thereof for exclusively public purposes or for the use of any corporation or association operated for religious, charitable, scientific or educational purposes no part of the net earnings of which inures to the benefit of any private shareholder or individual: *Provided*, That the amounts allowed to be deducted under this subdivision shall not in the aggregate exceed fifteen per cent of the taxpayer's net income as computed without the benefit of this subdivision. Such contributions and gifts shall be allowed as deductions only if verified under rules and regulations of the Commission;

(i) If any deduction provided for in this section is finally adjudged discriminatory against a national banking association contrary to Section 5219 of the Revised Statutes of the United States, or is for any reason finally adjudged invalid, in that event the tax of the favored taxpayer shall be recomputed by the Commission for the income year in question, as of the time of the allowance of the deduction, by disallowing the deduction, and any difference between the amount of the tax as recomputed and the amount of the tax as originally computed shall be subject to the provisions hereof relating to original computations.

SEC. 168. In computing net income no deductions shall be allowed in respect of

(a) Any amount paid out for new buildings or for permanent improvements or betterments made to increase the value of any property;

(b) Any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made;

(c) Premiums paid on any life insurance policy covering the life of any officer or employee or of any person financially interested in the business when the taxpayer is directly or indirectly a beneficiary under such policy;

(d) Any amount otherwise allowable as a deduction which is allocable to one or more classes of income other than interest (whether or not any amount of income of that class or classes is received or accrued) wholly exempt from the taxes imposed by this Title;

(e) Loss from sales or exchanges of property, directly or indirectly, (1) between members of a family, or (2) except in the case of distributions in liquidation, between an individual and a corporation in which such individual owns, directly or indirectly, more than fifty per cent in value of the outstanding stock. For the purpose of this paragraph—(3) an individual shall be considered as owning the stock owned, directly or indirectly, by his family; and (4) the family of an individual shall include only his brothers and sisters (whether by the whole or half blood), spouse, ancestors, and lineal descendants.

SEC. 169. The net income shall be computed upon the basis of the taxpayers' annual accounting period, fiscal year or calendar year as the case may be, in accordance with the method of accounting regularly employed in keeping the books of such taxpayer, but if such method employed does not clearly reflect the income, the computation shall be made in accordance with such method as the Commission may

prescribe to clearly reflect the net income. If the taxpayer's annual accounting period is other than a fiscal year, as defined in this Title, or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year. If a taxpayer changes its accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income, with the approval of the Commission, shall be computed on the basis of such new accounting period, subject to the provisions of Section 177.

SEC. 170. For the purpose of ascertaining the gain derived or loss sustained from the sale or other disposition of property, real, personal or mixed, the basis shall be determined in accordance with the provisions of Section 113 of the Federal Revenue Act of 1934 which are hereby referred to and incorporated for the purpose of this section with the same force and effect as though fully set forth herein.

(a) Except as otherwise provided in this section the gain from the sale or other disposition of property shall be the excess of the amount realized therefrom over the basis herein provided for determining gain, and the loss shall be the excess of the basis herein provided for determining loss over the amount realized;

(b) In computing the amount of gain or loss under subdivision (a) proper adjustment shall be made for any expenditure, receipt, loss or other item properly chargeable to capital account;

(c) The amount realized from the sale or other disposition of property shall be the sum of any money received plus the fair market value of the property (other than money) received;

(d) In the case of a sale or exchange, the extent to which gain or loss determined under this section shall be recognized shall be determined under the provisions of Section 171 of this Title;

(e) Nothing in this section shall be construed to prevent (in the case of property sold under contract providing for payments in installments) the inclusion in gross income of that portion of any installment payment representing gain or profit in the year in which such payment is received;

(f) Amounts distributed in complete liquidation of a corporation shall be treated as in full payment in exchange for the stock, and amounts distributed in partial liquidation of a corporation shall be treated as in part or full payment in exchange for the stock. The gain or loss to the distributee resulting from such exchange shall be determined under this section but shall be recognized only to the extent provided in Section 171 of this Title;

(g) If any distribution (not in partial or complete liquidation) made by a corporation to its shareholders is not out of earnings or profits, then the amount of such distribution shall be applied against and reduce the basis of the stock and, if in excess of such basis, such excess shall be included in gross income in the same manner as a gain from the sale or exchange of property. The provisions of this subdivision shall also apply to distributions from depletion reserves based on discovery value of mines.

SEC. 171. Upon the sale or exchange of property the entire amount of the gain or loss, determined under the preceding section, shall be recognized, with the exceptions provided for in Section 112 of said "Revenue Act of 1934," which are hereby referred to and incorporated with the same force and effect as though fully set forth herein.

In the case of installment sales the taxpayer may elect to proceed in the manner provided in Section 44 of the said "Revenue Act of 1934" in which case the taxpayer shall account for profits on installments received subsequent to December 31, 1934, on sales made prior thereto. If the taxpayer elects to proceed otherwise, the transaction will be deemed to have been closed when the sale was made.

SEC. 172. In the case of property acquired in a manner described in Section 113 (a) (2) to (a) (12) of the Federal Revenue Act of 1934 the basis shall be determined in accordance with the provisions of Section 113 of the Federal Revenue Act of 1934 which are hereby referred to and incorporated for the purpose of this section with the same force and effect as though fully set forth herein.

SEC. 173. A bank or a corporation engaged in business solely within the state shall be taxed according to, or measured by, its net income. A bank or a corporation engaged in business within and without the state shall be taxed only on such income as is derived from business transacted and property located within the state. The amount of such income allocable to the State of Washington may be determined by an allocation and separate accounting thereof when, in the judgment of the Tax Commission, that method will reasonably reflect the income properly assignable to this

state but, otherwise, the portion of the net income apportionable to this state shall be determined by an allocation upon the basis of sales, purchases, expenses of manufacture, payroll, value and situs of tangible property, or by reference to any combination of these or other factors, or by such other method of allocation as is fairly calculated to assign to the state the portion of the entire net income of the bank or corporation reasonably attributable to this state. Uniform and equitable rules and regulations, prescribing the methods of allocation, shall be prescribed by the Tax Commission, such rules and regulations to be so framed as to avoid subjecting the taxpayer to double taxation, insofar as possible.

SEC. 174. Every taxpayer as defined in this Title shall, on or before March 31st next after the preceding income year, file with the Commission a return, in form to be prescribed by the Commission, stating specifically the items of gross income, deductions and such other facts as may be necessary. Each taxpayer shall compute on its return the amount of tax under this Title. Every return shall be verified by oath of an officer of the taxpayer. In the case of taxpayers in liquidation or in the hands of a receiver, trustee in bankruptcy or assignee the return shall be made upon the oath or affirmation of the person responsible for the conduct of the affairs of the taxpayer. In case of sickness, absence or other disability or whenever in its judgment good cause exists, the Commission may allow further time for filing returns.

SEC. 175. Against the tax computed in conformity with the provisions of this Title, the taxpayer shall be entitled to an offset in the amount of current annual license fees actually paid to the state during the income year for which the return is made.

SEC. 176. If the Commission shall be of the opinion that any taxpayer has failed to include in a return filed, either intentionally or through error, any item of income which should be included under the provisions of this act, it may require from such taxpayer a return, or supplementary return, under oath, in such form as it shall prescribe, of all items of income which the taxpayer received during the year for which the return is made, whether or not includible under the provisions of this Title. If from a supplementary return, or otherwise, the Commission finds that any items of income, includible under this Title, have been omitted from the original return, it may require the items so omitted to be disclosed to it, under oath of the taxpayer, and to be added to the original return.

SEC. 177. If a taxpayer, with the approval of the Commission changes the income year on the basis of which its net income is computed, it shall, at such time and in such manner as the Commission may prescribe, make a separate return of its net income received during the period intervening between the end of its former income year and the beginning of its new income year.

SEC. 178. (a) Any taxpayer capable of exercising either directly or indirectly substantially the entire control of the business of another taxpayer, either by ownership or control of substantially the entire capital stock of such other taxpayer or otherwise, under regulations prescribed by the Commission, may be permitted to make a consolidated return, showing the consolidated net income and such other information as the Commission may require in order to compute the net income properly attributable to the state and to impose the tax upon the taxpayers concerned;

(b) The Commission may permit the filing of a consolidated return where substantially the entire control of two or more taxpayers liable to tax under this Title is exercised by the same interests;

(c) Where the Commission has reason to believe that any taxpayer so conducts its business as either directly or indirectly to distort the true net income and the net income properly attributable to the state, whether by the arbitrary shifting of income, through price fixing, charges for service or otherwise, whereby the net income is arbitrarily assigned to one or another unit in a group of taxpayers carrying on business under a substantially common control or to one or another unit of the business of a taxpayer, it may require such facts as it deems necessary for the proper computation of the entire net income and the net income properly attributable to the state and in determining the same the Commission shall have regard to the fair profits which would normally arise from the conduct of the business.

SEC. 179. The tax liability imposed by this Title shall attach whether a bank or corporation has an income year of twelve months or less duration.

SEC. 180. (a) A remittance for the full amount of the tax as shall appear from the face of the return, shall accompany the return, except in the cases specified in

subdivision (b) of this section. If the time for filing the return shall be extended, interest at the rate of six per cent per annum from the date when the return was originally required to be filed to the time of payment shall be added and paid;

(b) The taxpayer may elect to pay the tax in two equal installments, in which case one-half thereof shall be paid in the time, place and manner provided in subdivision (a) of this section and the remaining one-half shall be paid in like manner on or before six months thereafter: *Provided*, That in case the total amount of the tax shall be Twenty-five (\$25.00) Dollars or less the whole amount thereof shall be paid at the time required for filing the return: *Provided, further*, That no taxpayer shall be entitled to pay the tax in two installments as provided in this subdivision unless it shall have paid one-half of the total amount thereof at the time of filing the return.

SEC. 181. If any return required by this Title is not filed, or any tax due is not received by the Tax Commission, within ten days of the due date as set forth in this Title, there may be added to such tax a penalty of ten per cent of the amount of said tax.

SEC. 182. Taxes imposed by this Title shall be in addition to any and all other licenses, taxes and excises levied or imposed by the state or any municipal subdivision thereof.

SEC. 183. Sections 28, 29, 30, 31, and 32 of Chapter 130 of the Laws of the Extraordinary Session of 1925, and all acts or parts of acts in conflict herewith are hereby repealed.

SEC. 184. All of the provisions of Title XVIII of this Act, except Sections 187, 197, and 205 shall have full force and application with respect to the taxes imposed under this Title.

#### TITLE XVIII. GENERAL ADMINISTRATIVE PROVISIONS.

SEC. 185. The provisions of this Title shall not apply with respect to the administration of the taxes imposed under Titles XV and XVI, herein, but shall apply with respect to the taxes imposed under all other Titles of this Act, in such manner and to such extent as is indicated in the last section of each of such Titles.

SEC. 186. For the purposes of this Title, unless otherwise required by the context:

The meaning attributed in the foregoing Titles of this Act to the words and phrases "tax year," "taxable year," "person," "company," "gross proceeds of sales," "gross income of the business," "business," "engaging in business," "successor," "gross operating revenue," "admission charges," "taxpayer," and "value of products" shall apply equally in the provisions of this Title.

SEC. 187. If any person shall engage in any business or perform any act for which a tax is imposed by this Act, he shall, whether taxable or not, under such rules and regulations as the Commission shall prescribe, apply for and obtain from the Commission, upon the payment of a fee of one dollar, a registration certificate for each calendar year, or portion thereof. Said registration certificate shall be personal and non-transferable and shall expire on the last day of the calendar year for which issued and shall be renewed annually upon the condition that the taxpayer shall pay the aforesaid registration fee and the tax accrued to the state under the provisions of this Act. In case business is transacted at two or more separate places by one taxpayer, a separate registration certificate for each place at which business is transacted with the public shall be required, but for such additional certificates no fee shall be required. Each certificate shall be numbered and shall show the name, residence and place and character of business of the taxpayer and such other information as the Tax Commission shall deem necessary and shall be posted in a conspicuous place at the place of business for which it is issued. Where a place of business of the taxpayer is changed, the taxpayer must return to the Tax Commission the existing certificate, and a new certificate will be issued for the new place of business free of charge. No person shall engage in any business taxable hereunder without being registered in compliance with the provisions of this section.

SEC. 188. If the taxpayer shall make an error in computing any tax due from him, the Tax Commission shall correct such error and notify the taxpayer of its action by mailing to him a notice of the correction.

If, upon examination of any returns it appears that a tax has been paid less than that properly due, the Tax Commission may add a penalty of ten per cent of the

amount of the additional tax found due and shall add thereto interest at the rate of one per cent per month of the amount of such additional tax for each thirty days, or portion thereof, from the date upon which such tax became due as provided by this Act, and shall notify such taxpayer by mail of the total amount of such tax, penalties and interest and the total amount shall become due and shall be paid within ten days from the date of such notice, or within such further time as the Tax Commission may provide.

If, upon examination of any returns it appears that a tax has been paid in excess of that properly due, then the amount of such excess shall be credited against any tax or installment thereof then due or to become due from the taxpayer under any other subsequent return for the same year, and any balance of such excess at the end of such tax year, or upon the filing of a final return upon ceasing business, shall be refunded on request of the taxpayer by means of vouchers approved by the Tax Commission and by the issuance of state warrants drawn upon and payable from such funds as the legislature may provide.

SEC. 189. Any money paid to the Tax Commission through error and not in payment of any tax due hereunder, upon the request of the person by whom such payment was made, shall be refunded as provided in the foregoing section.

Any judgment for which a recovery is granted by any court of competent jurisdiction, not appealed from, for tax, interest, penalties, and costs in a suit by any taxpayer shall be paid in like manner, upon the filing with the Tax Commission of a certified copy of the order or judgment of the court.

SEC. 190. It shall be the duty of every person liable for any fee or tax imposed by this Act to keep and preserve, for a period of five years, such suitable records as may be necessary to determine the amount of any tax for which he may be liable under the provisions of this Act; and all books, records and invoices shall be open for examination at any time by the Commission or its duly authorized agent. In the case of an out-of-state person or concern which does not keep the necessary books and records within the State of Washington, it shall be sufficient if it produces within the state such books and records as shall be required by the Tax Commission, or bears the cost of examination by an agent authorized or designated by the Tax Commission at the place where such books and records are kept. Any person who shall fail to comply with the requirements of this section shall be forever barred from questioning, in any court action or proceeding, the correctness of any assessment of taxes made by the Tax Commission and based upon any period for which such books, records and invoices have not been so kept and preserved.

SEC. 191. Payment of the tax may be made by uncertified check under such regulations as the Commission shall prescribe, but, if a check so received is not paid by the bank on which it is drawn, the taxpayer, by whom such check is tendered, shall remain liable for payment of the tax and for all legal penalties, the same as if such check had not been tendered.

The Tax Commission shall keep full and accurate records of all funds received and disbursed by it under the provisions of this act.

SEC. 192. The Tax Commission, for good cause shown, may extend the time for making and filing any return as required under this act, and may grant such reasonable additional time within which to make and file such returns as it may deem proper: *Provided, however,* That any extension in excess of thirty days shall be conditional on payment of interest of one-half of one per cent for each thirty days or portion thereof of the amount of the tax from the date upon which such tax became due.

If payment of any tax due under this act is not received by the Tax Commission within ten days of the due date of such tax, as set forth in this act, there shall be added to such tax a penalty of ten per cent of the amount of said tax, but in no case shall the penalty be less than One (\$1.00) Dollar. If any taxpayer fails to file any return required by this act within ten days of the date provided for filing such return, and it appears that there was no tax due or paid for the period for which no return was filed, the Tax Commission shall assess against such taxpayer a penalty not to exceed Three (\$3.00) Dollars for such failure. The Tax Commission shall notify the taxpayer by mail of the amount of any penalties so added or assessed and the same shall become due and shall be paid within ten days from the date of such notice.

SEC. 193. If any person shall fail or refuse to make any return required by this act, the Tax Commission shall proceed, in such manner as it may deem best, to obtain facts and information on which to base its estimate of the tax herein prescribed; and to this end the Tax Commission by itself or its duly appointed agent may make examination of the books, records and papers of any such person and may take evidence, on oath, of any person, relating to the subject of inquiry. The oath may be administered by any member of the Commission or by its duly authorized agent.

As soon as the Tax Commission shall procure such facts and information as it is able to obtain upon which to base the assessment of any tax payable by any person who has failed or refused to make a return, it shall proceed to determine and assess against such person the tax and penalties provided for by this act, but such action shall not deprive such person from appealing to the superior court as hereinafter provided. To such assessment the Commission may add a further penalty of ten per cent of the amount of the tax for failure or refusal to make a return and shall add thereto interest at the rate of one per cent per month of the amount of the tax for each thirty days or portion thereof from the date upon which the tax is due as provided by this act, and shall notify such taxpayer by mail of the total amount of such tax, penalties and interest and the total amount shall become due and shall be paid within ten days from the date of such notice.

Assessments and corrections of assessment may be made by the Commission at any time within four years after the close of the tax year.

SEC. 194. The Tax Commission or its duly authorized agent may examine any books, papers, records, other data or stock of merchandise bearing upon the amount of any tax payable or upon the correctness of any return, or for the purpose of making a return where none has been made, or in order to ascertain whether a return should be made, as required by this act; and may require the attendance of any person at a time and place fixed in a summons served by any sheriff in the same manner as a subpoena is served in a civil case, or served in like manner by an agent of the Tax Commission. The persons summoned may be required to testify and produce any books, papers, records, or data as required by the Tax Commission with respect to any tax, or the liability of any person therefor, under this act. The secretary of the Tax Commission, or any member, or any duly authorized agent thereof, shall have power to administer an oath to the person required to testify; and any person giving any false testimony after the administration of such oath shall be guilty of perjury in the first degree and, upon conviction thereof, shall be punished in the manner provided by law. If any person summoned as a witness before the Tax Commission, or its authorized agent, shall fail or refuse to obey the summons, or shall refuse to testify or answer any material questions, or to produce any book, record, paper, or data when required to do so, he shall be guilty of contempt and it shall be the duty of the Tax Commission to thereupon institute proceedings in the Superior Court of Thurston County or of the county in which such person resides to punish any such person as for contempt of court for failure to obey such summons and appear as a witness, or for refusal to testify or answer any material question, or for refusal to produce any book, record, paper or other data as required by the Tax Commission or its authorized agent.

SEC. 195. All officers empowered by law to administer oaths, the members of the Commission and such officers as it may designate shall have the power to administer an oath to any person or to take the acknowledgment of any person with respect to any return or report required by this act or the rules and regulations of the Commission.

SEC. 196. Any notice or order required by this act to be mailed to any taxpayer shall be sent by ordinary mail, addressed to the address of the taxpayer as shown by the records of the Tax Commission, or, if no such address is shown, to such address as the Tax Commission is able to ascertain by reasonable effort. Failure of the taxpayer to receive any such notice or order mailed shall not release the taxpayer from any tax or any increases or penalties thereon, nor shall such failure operate to extend any time limit set by the provisions of this act.

SEC. 197. Whenever any taxpayer shall quit business, or shall sell out, exchange or otherwise dispose of his business or his stock of goods, wares or merchandise, any tax payable hereunder shall become immediately due and payable, and such taxpayer shall, within ten days thereafter, make a return and pay the tax due; and any person who shall become a successor to such business shall become liable for the full amount

of such tax and withheld from the purchase price a sum sufficient to pay any tax due from such taxpayer until such time as the taxpayer shall produce a receipt from the Tax Commission showing payment in full of any such tax due from the taxpayer or a certificate that no tax is due and, if such tax is not paid by the taxpayer within ten days from the date of such sale, exchange or disposal, such purchaser or successor shall likewise thereupon become liable for the payment of the full amount of such tax, and the payment thereof by such purchaser or successor shall, to the extent thereof be deemed a payment upon the purchase price, and if such payment is greater in amount than the purchase price the amount of the difference shall become a debt due such purchaser or successor from the taxpayer.

SEC. 198. All taxes, penalties and interest imposed under the provisions of this act shall be paid in full before any action may be instituted in any court to contest all or any part of such tax, penalties or interest. No restraining order or injunction shall be granted or issued by any court or judge to restrain or enjoin the collection of any tax or penalty imposed by this act, or any part thereof, except upon the ground that the assessment thereof was in violation of the constitution of the United States or that of the State of Washington.

SEC. 199. Any person, having paid any tax, original assessment, additional assessment or corrected assessment of any tax made by the Tax Commission under the provisions of this act, may apply to the Tax Commission by petition in writing, within one year after such payment, for a hearing and a correction of the amount of the tax so assessed upon him, in which petition he shall set forth the reasons why such hearing should be granted, and the amount in which such tax should be reduced. The Commission shall promptly consider such petition, and may grant such petition, and may grant such hearing or deny the same. If denied, the petitioner shall be notified by mail thereof forthwith; if granted, the Commission shall notify the petitioner by mail of the time and place fixed for such hearing. After such hearing the Commission may make such order as may appear to it just and lawful and shall mail a copy of such order to the petitioner.

Any person, except one who has failed to keep and preserve books, records and invoices as provided in Section 190 hereof, or in Section 84, Title XII, of this act, having paid any tax as required by this act and feeling aggrieved by the amount of the tax may appeal to the Superior Court of Thurston County, within one year after the payment of such tax, or within thirty days after the date of the notice denying such a hearing or after the date of the order provided in this section. In the appeal the taxpayer shall set forth the amount of the tax imposed upon him, which he concedes to be the correct tax and the reason why the tax should be reduced or abated. The appeal shall be perfected by serving a copy of the notice of appeal upon the Tax Commission within the time herein provided and by filing the original thereof with proof of service with the clerk of the Superior Court of Thurston County. Within ten days after filing notice of such appeal, the taxpayer shall file with the clerk of the superior court a good and sufficient surety bond payable to the State of Washington in the sum of Two Hundred (\$200.00) Dollars, conditioned to diligently prosecute the appeal and pay the state all costs that may be awarded if the appeal of the taxpayer is not sustained. The trial in the superior court on the appeal shall be *de novo* and without the necessity of any pleadings other than the notice of appeal. The burden shall rest upon the taxpayer to prove that the tax as paid by him is incorrect, either in whole or in part, and to establish the correct amount of the tax. In such proceeding the taxpayer shall be deemed the plaintiff, and the State of Washington, the defendant; and both parties shall be entitled to subpoena and require the attendance of witnesses as in other civil actions and to produce evidence that is competent, relevant and material to determine the correct amount of the tax that should be paid by the taxpayer under this act. Either party shall be allowed to appeal to the Supreme Court in the same manner as other civil actions are appealed to that court. It shall not be necessary for the taxpayer to protest against the payment of any tax or to make any demand to have the same refunded or to petition the Tax Commission for a hearing in order to appeal to the superior court, as herein provided; but no court action or proceeding of any kind shall be maintained by the taxpayer to recover any tax paid, or any part thereof, except as herein provided.

SEC. 200. The Tax Commission, by its order, may hold in abeyance the collection of tax from any taxpayer or any group of taxpayers when a question bearing on their liability for tax hereunder is pending before the courts.

SEC. 201. When any assessment or additional assessment has been made, the taxpayer may obtain a stay of collection, under such circumstances and for such periods of time as the Tax Commission may by general regulation provide, of the whole or any part of such assessment, by filing with the Tax Commission a bond in such amount, not exceeding double the amount as to which the stay is desired, and with sureties as the Tax Commission deems necessary, conditioned upon the payment of so much of the amount, the collection of which is stayed by the bond, together with interest thereon at the rate of one per cent of the amount of such assessment for each thirty days or portion thereof from the due date of such assessment until paid.

SEC. 202. If any tax, increase or penalty imposed by this act, or any portion of such tax, increase or penalty is not paid within fifteen days after the same shall become due, the Tax Commission shall issue a warrant under its official seal directed to the sheriff of any county of the state, commanding him to levy upon and sell the real and/or personal property of the taxpayer found within his county, or so much thereof as may be necessary, for the payment of the amount of such warrant, together with interest thereon at the rate of one per cent of the amount of such warrant for each thirty days or portion thereof after the date of such warrant, plus the cost of executing said warrant, and return such warrant to the Tax Commission and pay to it the money collected by virtue thereof within sixty days after the receipt of such warrant.

The sheriff, within thirty days after the receipt of said warrant, shall file with the clerk of the superior court of his county a copy thereof, and thereupon the clerk shall enter in the judgment docket, the name of the taxpayer mentioned in the warrant and in appropriate columns the amount of the tax or portion thereof and any increases and penalties for which the warrant is issued and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a lien upon the title to and interest in real and personal property of the taxpayer against whom it is issued and shall be the same as a judgment in a civil case duly docketed in the office of such clerk, and the sheriff shall thereupon proceed upon the same in all respects and with like effect as prescribed by law with respect to executions or other process issued against rights or property upon judgments of said superior court. The sheriff shall be entitled to fees as provided by law for his services in levying execution on a superior court judgment and the clerk shall be entitled to a filing fee of One (\$1.00) Dollar, which shall be added to the amount of such warrant. The proceeds received from any sale shall be credited upon the amount due under the warrant and when the final amount due is received, together with interest, penalties and costs, the judgment docket shall show the claim for taxes to be satisfied and the clerk of the court shall so note upon the docket any surplus received from any sale of property shall be paid to the taxpayer. If the return on the warrant shall show that the same has not been satisfied in full, the amount of the deficiency shall remain the same as a judgment against the taxpayer which may be collected in the same manner as the original amount of such warrant. If any warrant issued under this section is not paid within thirty days after the same has been filed with the clerk of the superior court, the Tax Commission may by order issued under its official seal, revoke the certificate of registration of the taxpayer against whom said warrant was issued and, if such order is entered, a copy thereof shall be posted in a conspicuous place at the main entrance to said taxpayer's place of business and shall remain posted until such time as said warrant has been paid.

In the discretion of the Tax Commission, a warrant of like terms, force and effect may be issued and directed to any agent of the Commission authorized to collect taxes under this act, and in the execution thereof such agent shall have all the powers conferred by law upon sheriffs, but shall not be entitled to any fee or compensation in excess of the actual expenses paid in the performance of such duty, which shall be added to the amount of such warrant.

SEC. 203. Any tax due and unpaid under this act, and all increases and penalties thereon, shall constitute a debt to the State of Washington and may be collected by court proceedings in the same manner as any other debt in like amount, which remedy shall be in addition to any and all other existing remedies. In all cases of probate, insolvency, assignment for the benefit of creditors, or bankruptcy, involving any taxpayer hereunder, the claim of the state for said taxes and all increases and penalties thereon shall be a lien prior to all other liens, except prior tax liens, and the mere existence of such cases or conditions shall be sufficient to create such lien without any prior or subsequent action by the state, and in all such cases it shall be the duty of all administrators, executors, guardians, receivers, trustees in bankruptcy or as-

signees for the benefit of creditors, to notify the Tax Commission of such administration, receivership or assignment within thirty days from the date of their appointment and qualification. Any administrator, executor, guardian, receiver or assignee for the benefit of creditors not giving the notification as provided for above shall become personally liable for payment of said taxes and all increases and penalties thereon.

SEC. 204. In the case of any corporation organized under the laws of this state, the courts of this state shall not enter or sign any decree of dissolution, nor shall the Secretary of State file in his office any certificate of dissolution, and in the case of any corporation organized under the laws of another jurisdiction and admitted to do business in this state the Secretary of State shall withhold the issuance of any certificate of withdrawal until proof, in the form of a certificate from the Tax Commission, has been furnished by the applicant for such dissolution or withdrawal, that every license fee, tax, increase or penalty imposed under this act has been paid or provided for.

SEC. 205. The taxes imposed hereunder, and the returns required therefor, shall be upon a calendar year basis; but, if any taxpayer in transacting his business, keeps books reflecting the same on a basis other than the calendar year, he may, with consent of the Tax Commission, make his returns, and pay taxes hereunder, upon the basis of his accounting period as shown by the method of keeping the books of his business.

SEC. 206. Taxes imposed by this act shall be in addition to any and all other licenses, taxes and excises levied or imposed by the state or any municipal subdivision thereof.

SEC. 207. It shall be unlawful for any person to engage in business without having obtained a certificate of registration as provided herein; or to engage in business after his certificate of registration shall have been revoked by order of the Tax Commission; or to tear down or remove any order or notice posted by the Tax Commission pursuant to the provisions of this act; or to make any false or fraudulent return or false statement in any return, with intent to defraud the state or evade the payment of any tax or any part thereof imposed by this act; or for any person to aid or abet another in any attempt to evade the payment of such tax or any part thereof; or for the president, vice-president, secretary, treasurer or other officer of any company to make or permit to be made for any company any false return, or any false statement in any return required by this act, with intent to evade payment of any tax hereunder; or for the president, vice-president, secretary, treasurer or other officer of any company to carry on the business of any company which has not obtained a certificate of registration or whose certificate of registration has been revoked by order of the Tax Commission; or for any purchaser to fraudulently sign a resale certificate without intent to resell the property purchased; or for any person to fail or refuse to permit the examination of any book, paper, account, record, or other data by the Commission or its duly appointed agent, as required by this act; or to fail or refuse to permit the inspection or appraisal of any property by the Commission, or its duly appointed agent; or to refuse to offer testimony or produce any record as required in this act. Any person violating any of the provisions of this section shall be guilty of a gross misdemeanor and punishable in the manner provided by law. In addition to the foregoing penalties, any person who shall knowingly swear to or verify any false or fraudulent return, or any return containing any false or fraudulent statement with the intent aforesaid, shall be guilty of the offense of perjury in the second degree and, on conviction thereof, shall be punished in the manner provided by law; and any company for which a false return, or a return containing a false statement, as aforesaid, shall be made, shall be punished, upon conviction thereof, by a fine of not more than One Thousand (\$1,000.00) Dollars. All penalties or punishments provided in this section shall be in addition to all other penalties provided in this act.

SEC. 208. The administration of this act shall be vested in and exercised by the Tax Commission which shall prescribe forms and rules of procedure in conformity with this act for the determination of the taxable status of any person, for the making of returns and for the ascertainment, assessment and collection of taxes and penalties imposed hereunder. The Tax Commission shall make and publish rules and regulations, not inconsistent with this act, necessary in enforcing its provisions, which rules and regulations shall have the same force and effect as if specifically included herein, unless declared invalid by the judgment of a court of record not appealed from. The Tax Commission is hereby authorized to employ such clerks, specialists and other

assistants as are necessary to carry this act into effective operation. Salaries and compensation of such employees shall be fixed by the Commission and shall be charged to the proper appropriation for the Tax Commission. It shall be the duty of the Tax Commission to exercise general supervision of the collection of taxes provided in this act, and, in the discharge of such duty, the Tax Commission may institute and prosecute such suits or proceedings in the courts of this state as may be necessary and proper, appearing therein for such purpose.

When recovery is had in any suit or proceeding against an officer, agent or employee of the Tax Commission for any act done by him, or for the recovery of any money exacted by or paid to him and by him paid over to the Tax Commission, in the performance of his official duty, and the court certifies that there was probable cause for the act done by such officer, agent or employee, or that he acted under the direction of the Tax Commission or proper officer thereof, no execution shall issue against such officer, agent or employee, but the amount so recovered shall, upon final judgment, be paid by the Tax Commission as an expense of operation.

SEC. 209. The Tax Commission, on the next business day following the receipt of any payments under this act, shall transmit the same to the State Treasurer, taking his receipt therefor.

SEC. 210. Except as hereinafter provided it shall be unlawful for the Tax Commission or any member, deputy, clerk, agent, employee or representative thereof or any other person to make known or reveal any facts or information contained in any return filed by any taxpayer pursuant to the provisions of this act or disclosed in any investigation or examination of the taxpayer's books and records made in connection with the administration of this act. The foregoing, however, shall not be construed to prohibit the Tax Commission or a member or employee thereof from: (a) giving such facts or information in evidence in any court action involving tax imposed under this act or involving a violation of the provisions of this act or involving another state department and the taxpayer, if such facts and information are relevant to the issues in such case; (b) giving such facts and information to the taxpayer or his duly authorized agent; (c) publishing statistics so classified as to prevent the identification of particular returns or reports or items thereof; (d) giving such facts or information, for official purposes only, to the governor, attorney general or to any committee or sub-committee of the legislature dealing with matters of taxation, revenue, trade, commerce, the control of industry or the professions; (e) permitting its records to be audited and examined by the proper state officer, his agents and employees; or (f) giving any such facts or information to the Commissioner of Internal Revenue of the United States or to the proper officer of any state tax department, for official purposes, but only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper officers of this state. Any person acquiring knowledge of such facts or information in the course of his employment with the Tax Commission and any person acquiring knowledge of such facts and information as provided under (d), (e) and (f), above, who shall reveal or make known any such facts or information to another not entitled to knowledge of such facts or information under the provisions of this section, shall be punished by a fine of not exceeding One Thousand (\$1,000.00) Dollars and, if the offender or person guilty of such violation be an officer or employee of the state, shall forfeit such office or employment and shall be incapable of holding any public office or employment in this state for a period of two years thereafter.

#### TITLE XIX. ALLOCATION OF REVENUES.

SEC. 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, 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 appropriated under the provisions of Section 215 of this act and shall deposit the balance thereof to the credit of the following funds:

- 17.91 % thereof to the state emergency relief fund;
- 58.51 % thereof to the state current school fund;
- 19.05 % thereof to the state general fund;
- 3.47 % thereof to the University of Washington fund;
- 0.46 % thereof to the Washington State College fund;
- 0.265% thereof to the Bellingham Normal School fund;
- 0.045% thereof to the Cheney Normal School fund;
- 0.28 % thereof to the Ellensburg Normal School fund.

## TITLE XX. GENERAL PROVISIONS.

SEC. 212. If any title, section, subdivision of a section, paragraph, sentence, clause or word of this act for any reason shall be adjudged invalid, such judgment shall not affect, impair or invalidate the remainder of this act but shall be confined in its operation to the title, section, subdivision of a section, paragraph, sentence, clause or word of the act directly involved in the controversy in which such judgment shall have been rendered. If any tax imposed under this act shall be adjudged invalid as to any person, corporation, association or class of persons, corporations or associations included within the scope of the general language of this act such invalidity shall not affect the liability of any person, corporation, association or class of persons, corporations or associations as to which such tax has not been adjudged invalid. It is hereby expressly declared that had any title, section, subdivision of a section, paragraph, sentence, clause, word or any person, corporation, association or class of persons, corporations or associations as to which this act is declared invalid been eliminated from the act at the time the same was considered the act would have nevertheless been enacted with such portions eliminated: *Provided, however,* That if the provisions of Section 4 (e) shall be declared invalid as to a national banking association, state bank, mutual savings bank or building and loan or savings and loan association the provisions of said Section 4 (e) shall be deemed inoperative as to all institutions of the types hereinabove mentioned.

SEC. 213. There is hereby appropriated from the general fund, for the fiscal biennium beginning April 1, 1935, and ending March 31, 1937, for the Tax Commission, the sum of Eight Hundred Twenty-seven Thousand Five Hundred Dollars (\$827,500.00), or so much thereof as shall be necessary, to carry out the provisions of this act and of Chapter 191, Laws of 1933, and amendment thereto.

SEC. 214. There is hereby appropriated from the general fund, for the fiscal biennium beginning April 1, 1935, and ending March 31, 1937, for the Department of Licenses, the sum of Twenty-two Thousand Five Hundred Dollars (\$22,500.00), or so much thereof as shall be necessary, to carry out the provisions of Title XI of this act.

SEC. 215. There is hereby appropriated from the general fund, for the fiscal biennium, beginning April 1, 1935, and ending March 31, 1937, the sum of Two Million (\$2,000,000.00) Dollars, or so much thereof as shall be necessary, for the purpose of refunding taxes, penalties and interest collected under the provisions of this act, either upon vouchers approved by the Tax Commission, as provided in this act, or upon judgment rendered against the state ordering the repayment and refunding of taxes, penalties and interest collected under the provisions of this act and any costs and interest assessed against the state in such judgments.

SEC. 216. No tax shall be imposed under the provisions of Chapter 191, Laws of 1933, as amended by Chapter 57, Laws of 1933, Extraordinary Session, with respect to the period beginning May 1, 1935, and ending July 31, 1935, and the provisions of such act shall be deemed amended in conformity herewith. Nothing contained in this section shall affect the liability of any person subject to the provisions of said Chapter 191, as amended, for the payment of tax imposed thereunder for any period prior to May 1, 1935, and no action or proceeding for the collection of tax, lien or claim for tax or action involving the validity of tax imposed under the provisions of said act shall be affected hereby and all remedies for the assessment and collection of taxes, penalties and interest under the provisions of said act shall be and remain in effect until such time as all taxes imposed thereunder shall have been paid or collected.

SEC. 217. All taxes imposed by Chapter 191, Laws of 1933, as amended by Chapter 57, Laws of 1933, Extraordinary Session, which may be received or collected after June 30, 1935, shall be deposited in the state treasury to the credit of the state general fund and the provisions of said Chapter 191 shall be deemed amended in conformity herewith.

SEC. 218. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately upon its approval.

Amend the bill by striking the title and inserting in lieu thereof the following:

An Act relating to revenue and taxation; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in business activities; providing for the levy and collection of a tax upon retail sales; providing for the levy and collection of a tax upon the use of personal property; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in public utility business;

providing for the levy and collection of a tax upon admissions to any place; providing for the levy and collection of a tax upon sales of liquor; providing for the levy and collection of a tax upon conveyances; providing for the levy and collection of a tax upon stock issues and transfers; providing for the levy and collection of a tax or excise upon the business of engaging in radio broadcasting; providing for the levy and collection of a tax upon the sale, use or distribution of fuel oil and diesel oil; providing for the levy and collection of a tax upon the sale, use, consumption or distribution of cigarettes; providing for the levy and collection of a tax upon the sale, use, consumption or distribution of proprietary medicines and toilet preparations; providing for the levy and collection of a store license tax; providing for the levy and collection of a tax on inheritances; providing for the levy and collection of a tax on gifts; providing for the levy and collection of a tax according to or measured by the net income of banks and corporations; providing the necessary administrative machinery for the collection and enforcement of the taxes hereunder; providing for certain exemptions and deductions; declaring certain acts in connection therewith unlawful and providing penalties; making appropriations; providing for the distribution of revenue derived hereunder; providing for shortening the operative period of Chapter 191, Laws of 1933, as amended; providing for the amendment of Sections 1, 2, 8, 12, 13, 15 and 18, Chapter 55, Laws of 1901, as amended, Section 4, Chapter 146, Laws of 1917, as amended, Section 95, Chapter 156, Laws of 1917, as amended, Section 5, Chapter 205, Laws of 1929, and Sections 4 and 7, Chapter 134, Laws of 1931; providing for the repeal of Section 1, Chapter 135, Laws of 1929, Sections 1 and 2, Chapter 202, Laws of 1929, as amended, Sections 28, 29, 30, 31 and 32, Chapter 130, Laws Extraordinary Session, 1925, and all acts and parts of acts in conflict therewith, declaring an emergency and that this act shall take effect immediately.

*Senate Members:*

PAUL MEHNER,  
E. N. STEELE,  
JUDSON W. SHORETT.

*House Members:*

GEO. F. YANTIS.  
J. D. McDONALD.  
ALFRED E. HOLT.

Senator Duggan moved that the report of the free conference committee be adopted.

Senators McMillan, Ronald and Lovejoy demanded the previous question. The previous question was ordered.

Senators Miller, Lovejoy, Duggan, Ferryman, Ryan (J. H.), Morrow, Thomas and Kyle demanded a roll call on the motion by Senator Duggan.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Duggan and the motion carried by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Murfin, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd, Worum—26.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Miller, Morrow, Murphy (James A.), Murphy (Kebel), Nelson, Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas—20.

The Secretary called the roll on the final passage of Engrossed House Bill No. 237, as amended by the free conference committee, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Bengtson, Brunton, Dawson, Drumheller, Duggan, Garrett, Keller, Knutzen, Lovejoy, Maxwell, McAulay, McMillan, Mehner, Metcalf, Murfin, Orndorff, Reardon, Ronald, Shorett, Smith, Steele, Stinson, Thein, Todd—25.

Those voting nay were: Senators Dailey, Farquharson, Ferryman, Gannon, Kerstetter, Kyle, Malstrom, Miller, Morrow, Murphy (James A.), Mur-

phy (Kebel), Nelson, Norman, Nugent, Peirce, Roland, Ryan (J. H.), Ryan (Scott M.), Tewksbury, Thomas, Worum—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.

The Secretary read:

**REPORT OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Senate Joint Resolution No. 7: "Providing for the submission of a proposal to amend the Constitution of the State of Washington with respect to the subject of taxation and assessment; striking Section 12 of Article XI and amending Section 1 and Section 9 of Article VII thereof," have compared same with the engrossed resolution and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: H. L. Nelson, D. E. McMillan.

On motion of Senator Orndorff, the report of the committee was received.

The President signed Senate Joint Resolution No. 7.

The Secretary read:

**MESSAGES FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Joint Resolution No. 7; also Senate Bill No. 159, and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed House Bill No. 237, and has passed the bill as amended by the said Free Conference Committee.

S. R. HOLCOMB, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted the report of the Free Conference Committee on Engrossed Substitute Senate Bill No. 305, and has passed the bill as amended by the said Free Conference Committee; and said bill, together with copy of the report, is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The Secretary read:

**REPORT OF FREE CONFERENCE COMMITTEE.**

OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

We, of your Free Conference Committee, to whom was referred Engrossed Substitute Senate Bill No. 305, 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 officers, for the relief of certain individuals, corporations, counties and municipi-

palities, 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 1st, 1935, and ending March 31st, 1937, except as otherwise provided, and providing this act shall take effect immediately," have had the same under consideration, and we recommend that it do pass with the following amendments:

In Section 1, line 20 of the engrossed substitute bill, being line 20 of the mimeographed bill, after the word "and" and before the word "of" strike the word "officers" and insert in lieu thereof the word "offices."

In Section 1, line 26 of the engrossed substitute bill, being line 26 of the mimeographed bill, after the word "shall" strike down to and including the word "meals" in line 27, and insert in lieu thereof the following:

"equal actual expenses incurred therefor, but shall not exceed Three and 50/100 Dollars (\$3.50) per diem for meals and lodging."

In Section 2, page 9, line 29½ of the engrossed substitute bill, being page 9, line 29½ of the mimeographed bill, add the following:

J. S. L. BENNETT, for injuries sustained while driving commandeered car	\$128.00
ADMINISTRATOR W. W. A. of the Estate of KARL ROALD, Deceased, for inheritance tax paid by mistake.....	33.41
SAMUEL TRENHOLM, for injuries sustained in extrahazardous industry...	1,000.00
ESTATE OF ELIZABETH WILLIAMS, for overpayment of inheritance taxes..	150.00
FOR HOLDERS OF LEWIS COUNTY CURRENT EXPENSE FUND WARRANTS, Numbers 21334, 21335, 21336, 21337, 21338, 21339, 21340, 21341, 21342 and 21343, issued October 4, 1909, in full settlement of interest and principal .....	4,000.00
CHRIS RBEPLOEG, for money erroneously paid for purchase of shore lands of the second class on Angle Lake.....	220.25
ANGIE B. COLLINS, individually, an undivided one-half interest, and ANGIE B. COLLINS, JOHN FRANCIS COLLINS and R. L. HODGDON, as executors and trustees of the last will and testament of John Collins, deceased, for money erroneously paid for purchase of shore lands of the second class on Angle Lake.....	536.50
A. HAMBACH, for purchase price of shore lands and fee for issuance of deed to shore lands on Angle Lake, to which the state did not hold title .....	40.00
DAN E. HUGHES, for purchase price of shore lands and fee for issuance of deed to shore lands on Angle Lake, to which the state did not hold title .....	35.90
FRED KNUTSON, in full settlement of injuries sustained in extrahazardous occupation .....	1,500.00
WILLIAM E. BEST, for money erroneously paid in purchase of shore lands of the second class on Pine Lake.....	62.92
STUART FINELY, in full settlement of injuries and damages sustained through negligence of Ralph Loudin, an employee of the State of Washington .....	3,250.00
J. F. JACKSON, in full settlement of injuries and damages sustained through negligence of Ralph Loudin, an employee of the State of Washington .....	500.00
GEORGE JARGER, for damages sustained through loss of right eye.....	1,000.00
HERBERT HOPKINS, for injuries sustained while working in the Tribune Printing Company .....	246.20
MRS. WHITNEY C. CLOSE, in compensation for the death of her husband, an officer of the Washington National Guard, killed in the line of duty	3,500.00
MRS. GEORGE E. HALLETT, in compensation for the death of her husband, an officer of the Washington National Guard, killed in the line of duty	3,500.00
LEWIS COSTELLO, for court costs in case in which judgment in favor of the State of Washington was reversed.....	275.35
MAY RIPLEY, for injuries sustained while employed at the State Custodial School .....	444.50

WALTER DELANEY, for judgment in case of State of Washington v. Walter Delaney, which judgment has been assigned to Nels Paulson of Spokane .....	\$92.45
FRANK J. BRYE, for cattle slaughtered because of Bovine Tuberculosis infection .....	80.44
C. PAT HOOPER, for compensation for injuries sustained while serving as Sergeant-at-Arms of the House of Representatives.....	140.00
AL MEYERS, for injuries sustained in the service of the state as assistant sergeant-at-arms of the House of Representatives.....	1,000.00
WILLAPA ELECTRIC COMPANY, for refund of overpayment of corporation license fees .....	168.15
HERBERT H. LUCE, in full settlement of damages arising from issuance of mineral lease No. 1378.....	300.00
ESTATE OF A. L. SMALLBY, for overpayment of inheritance taxes.....	15.38

In Section 2, page 12 of the engrossed substitute bill, being page 12 of the mimeographed bill, strike lines 6, 7, 8, 9, 10, 11, 12, 13 and 14, and insert in lieu thereof the following:

FROM THE GENERAL FUND.

For the Port District of the Port of Seattle.....	\$64,515.67
To be applied on assessment levied by the city of Seattle by Ordinance No. 62123 as amended by Ordinance No. 64218, Local Improvement District No. 5339, and to be reimbursed to the General Fund by the State Treasurer with interest at four per cent (4%) per annum from seventy-five per cent (75%) of all rentals received by said State Treasurer from rentals due the said Port of Seattle from the leases of the property assessed herein until the payment has been paid.	

In Section 2, page 15, line 4½, of the engrossed substitute bill, being page 15, line 4½ of the mimeographed bill, add the following:

S. A. MOCERI, for overpayment of gasoline tax.....	597.75
L. ROMANO ENGINEERING COMPANY, for overpayment of gasoline tax....	1,282.45
NORTHWESTERN CONSTRUCTION COMPANY, for overpayment of heavy duty trailer license fee.....	405.00
HARVEY HALL, for damages to personal automobile due to defective state highway, while in the service of the state.....	250.00
WILLIAM SHELTON, for damages sustained through negligent operation of a truck owned by the state.....	300.00
INEZ FERGUSON, for refund of tax on 1700 gallons of gasoline lost.....	85.00
CITY OF PORT ORCHARD, for damages to water system of the City of Port Orchard .....	1,127.00
D. P. SHREWSBERRY, for damage to crops and lands in construction of a state highway .....	1,000.00
DOYLE WILLIAMS and DOLLIE WILLIAMS, for injuries and damages sustained in collision with a state highway road drag and in full satisfaction of judgment for damages and costs against Willard Brown, an employee of the State of Washington.....	1,000.00

In Section 2, page 16, line 4½, of the engrossed substitute bill, being page 16, line 4½ of the mimeographed bill, add the following:

DOROTHY FAIRWEATHER, over remittance on sale of game license.....	\$21.00
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In Section 2, page 16, of the engrossed substitute bill, being page 16 of the mimeographed bill, strike lines 10 and 11, and insert in lieu thereof the following:

FROM THE GENERAL FUND.

BEN DIEBERT, in full settlement of injury and permanent disability caused by accident, December 14, 1931.....	4,000.00
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In Section 2, page 16, line 24½, of the engrossed substitute bill, being page 16, line 24½ of the mimeographed bill, add the following:

DR. FREDERICK L. SCHEYER, for services to the Department of Labor and Industries ..... \$107.00

In Section 2, page 16, line 28½, of the engrossed substitute bill, being page 16, line 28½ of the mimeographed bill, add the following:

C. C. HUNT, tax improperly collected on fish..... 51.72

In Section 2, page 17, line 6½ of the engrossed substitute bill, being page 17, line 6½ of the mimeographed bill, add the following:

For repairs to State Salmon Hatcheries damaged or destroyed by flood condition ..... \$20,000.00

In Section 2, page 18, line 2 of the engrossed substitute bill, being page 18, line 2 of the mimeographed bill, after the word "No." and before the word "Section" strike the number "184" and insert in lieu thereof the number "584."

In Section 2, page 18, of the engrossed substitute bill, being page 18 of the mimeographed bill, strike lines 6, 7, 8 and 9, and insert in lieu thereof the following:

FOR THE DEPARTMENT OF PUBLIC WELFARE:

For salaries, wages and operations..... \$250,000.00  
To be expended on State Parks

In Section 2, page 19, line 2½ of the engrossed substitute bill, being page 19, line 2½ of the mimeographed bill, add the following:

Salaries and wages..... 40,850.00  
Operations ..... 17,200.00

Total ..... 58,050.00

In Section 2, page 20, of the engrossed substitute bill, strike lines 13, 14, 15, 16, 17 and 18, and insert in lieu thereof the following:

FOR THE CANAL COMMISSION:

Salaries, wages and operations..... 16,783.00

In Section 2, page 23, line 6½, of the engrossed substitute bill, being page 23, line 8½ of the mimeographed bill, insert the following:

FROM THE PARKS AND PARKWAY FUND.

For Addition to Deception Pass State Park..... \$10,000.00

FROM THE PUBLIC SERVICE REVOLVING FUND.

FOR THE DEPARTMENT OF PUBLIC SERVICE:

Salaries and wages..... 14,900.00  
Operations ..... 9,350.00

For regulation of motor vehicles:

Salaries and wages..... 22,000.00  
Operations ..... 27,000.00

Total ..... 73,250.00

Amend the Title, in line 6 of the engrossed substitute bill, being line 6 of the mimeographed bill, strike the first word "officers" and insert in lieu thereof the word "offices."

*Senate Members:*

JOHN H. FERRYMAN,  
ED. PEIRCE,  
GEO. H. GANNON.

*House Members:*

A. E. EDWARDS,  
DEWOLFE EMORY,  
DR. DAVID C. COWEN.

On motion of Senator Lovejoy, the report of the free conference committee was adopted.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 305, as amended by the free conference committee, and it passed the Senate by the following vote:

Those voting aye were: Senators Barnes, Drumheller, Duggan, Ferryman, Gannon, Garrett, Keller, Kerstetter, Lovejoy, Malstrom, Maxwell,

McAulay, Mehner, Miller, Murphy (James A.), Norman, Nugent, Orndorff, Peirce, Ronald, Ryan (J. H.), Shorett, Stinson, Thein, Worum—25.

Those voting nay were: Senators Bengtson, Brunton, Dailey, Dawson, Morrow, Roland, Smith, Thomas—8.

Absent or not voting: Senators Farquharson, Knutzen, Kyle, McMillan, Metcalf, Murfin, Murphy (Kebel), Nelson, Reardon, Ryan (Scott M.), Steele, Tewksbury, Todd—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.

The Secretary read:

**REPORT OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Substitute Senate Bill No. 305, 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, 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 1st, 1935, and ending March 31st, 1937, except as otherwise provided, and providing this act shall take effect immediately," have compared same with the engrossed substitute bill and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: D. E. McMillan, C. Nifty Garrett.

On motion of Senator Orndorff, the report of the committee was received.  
The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Bill No. 287, and the same is herewith transmitted.  
S. R. HOLCOMB, *Chief Clerk.*

The President signed Substitute Senate Bill No. 305.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Substitute Senate Bill No. 305; also House Bill No. 237; and the same are herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The President signed House Bill No. 237.

Senator Nugent moved that the rules be suspended and that the remainder of the bills on today's calendar be considered.

Senators Nugent, Miller, Bengtson, Lovejoy, Ryan (J. H.), Shorett, Thomas and Reardon demanded a roll call on the motion by Senator Nugent.

A roll call was ordered.

The Secretary called the roll on the motion by Senator Nugent and the motion lost by the following vote:

Those voting aye were: Senators Bengtson, Dawson, Gannon, Kerstetter, Lovejoy, Malstrom, Miller, Morrow, Murphy (James A.), Nugent, Reardon, Ryan (J. H.), Shorett, Thomas—14.

Those voting nay were: Senators Barnes, Brunton, Dailey, Duggan, Garrett, Keller, McAulay, Mehner, Norman, Orndorff, Peirce, Roland, Ronald, Smith, Thein, Worum—16.

Absent or not voting: Senators Drumheller, Farquharson, Ferryman, Knutzen, Kyle, Maxwell, McMillan, Metcalf, Murfin, Murphy (Kebel), Nelson, Ryan (Scott M.), Steele, Stinson, Tewksbury, Todd—16.

Senators Miller, Ryan (J. H.), Ryan (Scott M.), Murphy, Morrow, Dailey, Tewksbury, Kyle, Thomas and Kerstetter made the following protest:

We protest the vote that carried House Bill No. 237 as not being representative, and that the measure is not a Democratic measure but is a Republican bill, and we who are Democrats will vigorously resent being charged with any responsibility connected with its passage.

#### RESOLUTION.

By Senator Nelson:

*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 Nelson, the resolution was adopted.

#### RESOLUTION.

By Senator Ryan (Scott M.):

*Be It Resolved*, By the Senate in Ordinary Legislative Session Assembled.

*Resolved*, 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 Ryan (Scott M.), the resolution was adopted.

#### RESOLUTION.

By Senator Lovejoy:

*Be It Resolved*, By the Senate in Ordinary Legislative Session Assembled.

*Be It Resolved*, By the Senate, that the expense of clerk hire necessary in the certification of the Session Laws of 1935 be paid out of the appropriation for legislative expenses, upon vouchers executed by the President and Secretary of the Senate.

On motion of Senator Lovejoy, the resolution was adopted.

#### RESOLUTION.

By Senator Peirce:

*Be It Resolved*, By the Senate in Ordinary Legislative Session Assembled.

WHEREAS, Members of the Twenty-fourth 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 this sixty-day session; and

WHEREAS, The Hon. F. A. Longaker, 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-fourth Session of the Legislature to make it a success,

Now, Therefore, *Be It Resolved*, That the Twenty-fourth Senate of the State of Washington does hereby express its appreciation of the hospitality of the citizens of Olympia and asks that a copy of this resolution be spread upon the Senate Journal.

On motion of Senator Peirce, the resolution was adopted.

#### RESOLUTION.

By Senator Garrett:

*Be It Resolved*, By the Senate in Ordinary Legislative Session Assembled.

WHEREAS, We, the members of the Senate, have had present with us co-laborers during the Twenty-fourth 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 and correct account of the proceedings, worked, as we have strived to do, for the best interest 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-fifth Legislature all may meet again and renew old friendships.

On motion of Senator Garrett, the resolution was adopted.

#### RESOLUTION.

By Senator Maxwell:

*Be It Resolved*, By the Senate in Ordinary Legislative Session Assembled, That Harrison W. Mason, 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 three hundred fifty dollars (\$350.00), 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 Maxwell, the resolution was adopted.

#### RESOLUTION.

By Senator Peirce:

*Be It Resolved*, By the Senate in Ordinary Legislative Session Assembled, That, after the close of the session, the President and Secretary be authorized to execute proper vouchers to the State Auditor for the payment of any expenses that have been 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 Peirce, the resolution was adopted.

#### RESOLUTION.

By Committee on Rules and Joint Rules:

WHEREAS, The supplies necessary to the opening and conducting of a legislative session represent a substantial proportion of all legislative expenses, and

WHEREAS, The purchasing and cost thereof and the accounting therefor has frequently involved the Senate and its auditing committee in unnecessary difficulties during the session,

*Now, Therefore, Be It Resolved*, That the Department of Finance, Budget and Business, be instructed to make a survey, in cooperation with the President of the Senate, of the supply needs of the Senate for the next session of the Legislature, and

*Further Be It Resolved*. That said department is hereby empowered and directed to purchase all such supplies as such supplies are purchased for the state departments.

On motion of Senator Lovejoy, the resolution was adopted.

#### RESOLUTION.

By Senator Miller:

*Be It Resolved*. By the Twenty-fourth Senate of the State of Washington that the Senate hereby recognizes the difference in salaries between the House of Representatives and the Senate and hereby resolves that the same be equalized for the Twenty-fourth Session.

Senator Miller moved the adoption of the resolution.

The motion by Senator Miller lost.

Senator Peirce moved that the President appoint a committee of three Senators to notify the House that the Senate was ready to adjourn *sine die*.

The motion by Senator Peirce carried.

The President appointed Senators Miller, Ferryman and Murphy (James A.), as a committee to notify the House that the Senate was ready to adjourn *sine die*.

Representatives Bowden, Smith and Johnston, as a committee from the House, appeared at the bar of the Senate and notified the Senate that the House was ready to adjourn *sine die*.

The message was received.

The committee appointed by the President to notify the House that the Senate was ready to adjourn *sine die* reported that the message had been delivered and received by the House.

The Secretary read:

Senate Concurrent Resolution No. 7, by Senator Peirce: Relating to adjournment "*sine die*."

On motion of Senator Peirce, the resolution was adopted.

The Secretary read:

#### MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The House has adopted Senate Concurrent Resolution No. 7, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk*.

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has appointed as members of a committee under Senate Concurrent Resolution No. 7 Representatives Reeves, Cohen and Brown.

S. R. HOLCOMB, *Chief Clerk*.

The President appointed as members of the committee under Senate Concurrent Resolution No. 7, Senators Miller, Murphy (James A.), and Ferryman.

The Secretary read:

**REPORT OF COMMITTEE ON ENROLLED BILLS.**

SENATE CHAMBER,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

Your Committee on Enrolled Bills, to whom was referred Enrolled Senate Concurrent Resolution No. 7, Relating to adjournment "*sine die*," have compared same with the original resolution and find it correctly enrolled.

Respectfully submitted,

W. R. ORNDORFF, *Chairman.*

We concur in this report: C. Nifty Garrett, D. E. McMillan.

On motion of Senator Orndorff, the report of the committee was received. The President signed Senate Concurrent Resolution No. 7.

The Secretary read:

**MESSAGE FROM THE HOUSE.**

HOUSE OF REPRESENTATIVES,  
OLYMPIA, WASH., March 14, 1935.

MR. PRESIDENT:

The Speaker has signed Senate Concurrent Resolution No. 7, and the same is herewith transmitted.

S. R. HOLCOMB, *Chief Clerk.*

The committee appointed under Senate Concurrent Resolution No. 7 to notify the Governor that the Legislature was about to adjourn *sine die*, reported that they had notified the Governor, and delivered the following message from the Governor to the Senate:

The Secretary read:

**MESSAGE FROM THE GOVERNOR.**

STATE OF WASHINGTON, EXECUTIVE DEPARTMENT,  
OLYMPIA, March 14, 1935.

*To the Honorable, the Members of the Senate of the State of Washington.*

LADIES AND GENTLEMEN: Before you close your deliberations, I wish to congratulate the members of the 1935 Legislature on success in meeting the problems of government. Your determination to provide for the relief of the unemployed, the aged and other distressed citizens, and for the education of our children, assures the continued progress of our commonwealth; and this record, I am sure, will meet with the approval of our people.

I want to thank you, too, for your friendly and cooperative spirit toward the Governor, Elective Officers and members of the administration.

Cordially yours,

C. D. MARTIN, *Governor.*

On motion of Senator Duggan, seconded by Senator Murphy (James A.), the Journal of the Senate of the sixtieth day of the Twenty-fourth Session of the Legislature of the State of Washington was approved.

On motion of Senator Metcalf, seconded by Senator Malstrom, the Senate of the Twenty-fourth Session of the Legislature of the State of Washington adjourned *sine die*.

VICTOR A. MEYERS, *President of the Senate.*

HARRISON W. MASON, *Secretary of the Senate.*

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# MESSAGES

OF

CLARENCE D. MARTIN, Governor

ON

## VETOED BILLS

OF THE

TWENTY-FOURTH LEGISLATURE

1935

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**GOVERNOR'S MESSAGES ON SENATE BILLS VETOED.**

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March 23, 1935.

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 sections, Senate Bill No. 76 entitled:

"An act relating to the organization, management and supervision of savings and loan associations; authorizing associations to procure mortgage insurance from the Federal Housing Administration and savings insurance from the Federal Savings and Loan Insurance Corporation; enabling such associations to correlate with the Federal Housing Administration under Titles II, III, and IV of the National Housing Act; authorizing associations to cancel notices of withdrawal; amending Sections 47, 49, 56, 73 and 112 of Chapter 183, Laws of 1933, and declaring that this act shall take effect immediately."

This bill is approved with the exception of Section 3, which is vetoed.

Section 3 was amended by adding thereto the following:

"All profits on insurance written on the loans made by the institution or by any officer or employee or agent of the institution shall be considered as earnings and placed in a proper account and distributed to depositors as other earnings of the institution."

Savings and loan associations are not qualified to be licensed as insurance agents or brokers. The insurance laws prohibit the giving of rebates. To carry out the above quoted provision would amount to the giving of rebates, and would be a violation of the insurance laws. Moreover the provision is so broad that it would seem to apply even to insurance written at the request of a mortgagor and by an agent having no connection whatever with the institution. It is so indefinite that its enforcement would tend to confusion.

The provision is so placed in the section that it can not be vetoed alone. The disadvantages which would result from the quoted provision becoming law would far outweigh any advantages which would result from the remainder of Section 3.

For this reason Section 3 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN,

Governor.

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March 23, 1935.

To the Honorable

The Senate of the State of Washington.

(Through the Secretary of State.)

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to Section 2, subdivision 8 of sub-

section 2 of Section 3, and subdivisions 3 and 4 of Section 11, but with my approval as to all other sections, Substitute Senate Bill No. 87, entitled:

“An act relating to intoxicating liquors, providing for the control and regulation thereof, creating state offices, defining crimes and providing penalties therefor, providing for the disposition of public funds, and amending Sections 16, 23, 27, 30, 33, 37, 52, 55, 62, 69, 70, 71, 72, 90, 92, and 93 of Chapter 62 of the Laws of the Extraordinary Session of 1933 of the State of Washington, the same being Sections 7306-16, 7306-23, 7306-27, 7306-30, 7306-33, 7306-37, 7306-52, 7306-55, 7306-62, 7306-69, 7306-70, 7306-71, 7306-72, 7306-90, 7306-92, and 7306-93 of Remington's Revised Statutes, and declaring this act shall take effect immediately.”

Section 2 is identical with Section 2 of House Bill No. 148, which has been approved by me, with the exception that Section 2 of House Bill No. 148 contains additional provisions relating to domestic wineries. To permit both Section 2 of this bill and Section 2 of House Bill No. 148 to become law would be unnecessary and tend to confusion. One or the other of such sections should be vetoed. The Washington State Liquor Board has suggested that Section 2 of this bill be vetoed.

It has been drawn to my attention that subdivision 8 of subsection 2 of Section 3 will disqualify, in the smaller cities and towns of the state, many councilmen and mayors who are engaged in the restaurant, hotel or other business where beer or wine is sold as an incident thereto. While it was my understanding that it was not the purpose of this provision to disqualify councilmen or mayors in such cases, the provision would have such effect. Since licenses are granted only within the discretion of the board, and are not necessarily granted or refused upon the recommendation of mayors or councilmen, there would seem to be no real need of such provision.

Subdivisions 3 and 4 of Section 11 place certain duties upon the Washington State Patrol and Attorney General's office in connection with the enforcement of the liquor laws. The Attorney General has called my attention to the fact that the placing of such duties upon that office would increase the cost of government, and would result in confusion so far as responsibility for enforcing such laws is concerned. He has further stated that the Supreme Court has recently held that the prosecuting attorney is a constitutional officer and has full control of all criminal matters in his county, and that the system of dual authority created by subdivisions 3 and 4 so far as the prosecution of violation of liquor laws is concerned would result in confusion, and tend to interfere with law enforcement rather than promote the same. The Washington State Liquor Control Board has stated that it respects the views of the Attorney General and does not urge approval of such subdivisions.

For these reasons Section 2, subdivision 8 of subsection 2 of Section 3, and subdivisions 3 and 4 of Section 11 are vetoed. The remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN,

Governor.

March 12, 1935.

To the Honorable

The Senate of the State of Washington.

Ladies and Gentlemen:

I am returning herewith, without my approval, Senate Bill No. 203, entitled:

"An act transferring certain moneys in and to be paid into the state treasury and abolishing the Lewis River Hatchery Fund, and defining the duties and powers of the state treasurer in connection therewith, and declaring that this act shall take effect April 1, 1935."

Senate Bill No. 203 abolishes the Lewis River Hatchery Fund. It is one of a series of bills prepared and introduced in an effort to reduce the number of unnecessary funds in the state treasury. With the purpose of this series of bills I heartily concur.

However, further consideration has shown that it would be dangerous to the best interests of the state to abolish the Lewis River Hatchery Fund. This fund was created by Chapter 123, Laws of 1933, to receive moneys payable to the state under a certain contract between the state and the Inland Power and Light Company, dated October 31, 1931. The contract itself mentions the creation of such a fund. The point has been raised that the state is obligated under said contract to maintain such fund. Such point is admittedly a doubtful one. However, it seems to me that since the question has been raised as to the right of the state to abolish such fund that the best interests of the state would require that such fund be maintained rather than that the state be subjected to possible litigation which might arise from the abolition of such fund.

I am informed that the proponents of this bill, after being advised of the above mentioned objections, also believe that the bill should not become a law.

For the foregoing reasons Senate Bill No. 203 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN,  
Governor.

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March 22, 1935.

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 sections, Senate Bill No. 206, entitled:

"An act relating to elections and to precinct election boards and the appointment thereof; repealing Section 5 of Chapter 61, Laws of 1921, as amended by Section 1 of Chapter 79, Laws of 1933; repealing Section 3 of Chapter 170, Laws of 1921, as amended by Section 3 of Chapter 279 of Laws of 1927 and repealing Section 1 of Chapter 29, Laws of Extraordinary Session, 1933."

This is the fourth time in two years that the laws governing the handling of election and particularly the selection of precinct election officers has been amended. Chapter 29, Laws of 1933, Extraordinary Session, was held by the Supreme Court to apply to school elections. House Bill No. 115 of the 1935 Session (Chapter 5, Laws of 1935) related to the same subject matter as Section 1 of Senate Bill No. 206 except that it excluded from the operation of the law general or special elections in second or third class school districts.

I am informed that the sponsors of Senate Bill No. 206 do not desire to bring elections in such school districts under the provisions of the general election laws, and that Section 1 was inadvertently drawn in that respect. The real purpose of Senate Bill No. 206 is expressed in Section 2. This purpose can be attained by the veto of Section 1 without destroying the effect of Chapter 5, Laws of 1935.

Section 3 is simply a reenactment of Section 2 of Chapter 29, Laws of 1933, Extraordinary Session, and is unnecessary.

For these reasons Sections 1 and 3 are vetoed and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN,  
Governor.

March 25, 1935.

To the Honorable

The Senate of the State of Washington.  
(Through the Secretary of State.)

I am filing herewith, to be transmitted to the Senate at the next session of the legislature, without my approval as to certain items, Substitute Senate Bill No. 305, 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, 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 1st, 1935, and ending March 31st, 1937, except as otherwise provided, and providing this act shall take effect immediately."

I disapprove and veto the item "MAY S. BURGLEHAUS, doing business as Rosecroft Nurseries, for damages caused by the destruction of black currant bushes under the direction of the Director of Agriculture of the State of Washington \$1,937.50," for the reason that this relates to the destruction of black currant bushes in accordance with a quarantine order issued by the Director of Agriculture and approved by the Governor, in September, 1922. This quarantine order required the destruction of "all cultivated black currants found growing in any part of the state" and required all horticultural inspectors "to condemn and destroy any black currants found growing in

violation of this quarantine order." To approve this claim for one grower would subject the state to demands for similar payments from other persons affected by the quarantine order.

It is to be regretted that anyone will take a loss due to the destruction of their property, but at times this must be done to protect the greater interests of the growers of the State or to the general public. Should a special appropriation be made to cover the loss of the Rosecroft Nursery, it would create a precedent that would be very dangerous as it is impossible to tell where it would stop. Every interested party who sustained a loss, sometimes imaginary, due to the destruction of his property or by holding up of shipments, or causing disinfection of his property, would have the same right and claim as this particular nursery.

The fruit growers in the Wenatchee, Yakima, Walla Walla, Spokane and other districts, the pea growers of Mount Vernon, the bulb growers in the various districts are taking a loss from the control of pests and diseases and would be entitled to the same consideration as this nursery.

I am unable to find where other growers have been reimbursed, and it is quite apparent that the quarantine order was state wide and for the common good.

I disapprove and veto the item "TREASURER OF THURSTON COUNTY, payment of assessments on state lands located in Joint Drainage Improvement District No. 7, \$2,046.37," for the reason that this claim has not been certified by the Commissioner of Public Lands as required by law.

I disapprove and veto the item "DR. WALTER F. HOFFMAN, witness fees, December 1, 1932, \$72.50," for the reason that it is apparent that an error has occurred in the allowance of 75c per mile for mileage.

I disapprove and veto the item "FOR THE STATE TREASURER: Payment of office salaries from December 22, 1932, to January 11, 1933, for the following: G. R. Snyder \$151.07, Anne Kurtz \$66.13, Cecil G. Remington \$66.13, total \$283.33," for the reason that these claims have previously been disallowed on account of representing unauthorized expenditures.

I disapprove and veto the item "FOR THE DEPARTMENT OF PUBLIC WELFARE: For salaries, wages and operations \$250,000.00, to be expended on State Parks," for the reason that the State Emergency Relief funds have already been fully appropriated and cover the general program to be carried out in conjunction with the Federal government. In my opinion, it is unwise to earmark any portion of these funds for specific purposes in advance of the time that the Federal program has been adopted. Without doubt the State Parks of the State of Washington will benefit to a large degree from the labor and materials that will be supplied by the Public Welfare Department. This same policy has been carried out for the past two years and the State Parks can be assured of every support possible during the ensuing biennium.

I disapprove and veto the item "To carry out the provisions of House Concurrent Resolution No. 10, \$800.00," for the regular appropriation for the Department of Agriculture should be adequate to take care of expenses of this nature.

I disapprove and veto the item "FOR THE STATE AUDITOR: To carry out the provisions of House Bill No. 582, Section 24. Salaries and wages \$10,920.00, operations \$2,330.00, total \$13,250.00," for the reason that this

expense can be taken care of by the Department of Public Welfare as a part of and within the limit of the allowance for administrative expenses.

I disapprove and veto the item "FOR THE SUPREME COURT: For salaries of law clerks at not to exceed one hundred and fifty dollars (\$150.00) each per month, \$18,000.00," for the reason that I am advised by the Chief Justice that this amount is not needed, and for the further reason that there is included in the budget and the regular appropriation made for the Supreme Court, the sum of \$6,000 for extra and temporary clerical assistance.

Respectfully submitted,

CLARENCE D. MARTIN,  
Governor.

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**GOVERNOR'S MESSAGES ON HOUSE BILLS VETOED.**

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February 18, 1935.

To the Honorable

The House of Representatives of the State of Washington.

Ladies and Gentlemen:

I am returning herewith, without my approval, House Bill No. 127, entitled:

"An act relating to the filling of vacancies on the supreme and superior courts of this state, and amending Sections 11044 and 11049 of Remington's Compiled Statutes of Washington."

Section 1 relates to the Supreme Court and Section 2 relates to the Superior Court. Since the only difference between the wording and effect of the two sections is that one relates to the Supreme Court and the other to the Superior Court, it is unnecessary to discuss each section separately.

Each section contains a proviso reading: "That no person shall be eligible to be elected to fill such vacancy unless he shall have first been nominated in the manner provided by law."

The effect of such proviso would be to prevent a voter from writing in the name of, and voting for, a person whose name was not printed on the ballot. The voters would be compelled to choose from those candidates only whose names, or name, appeared on the ballot. Voters would therefore be prevented from voting for the person of their choice unless such person had been nominated at the primaries. In other words, the bill would prevent voting by "sticker."

This would interfere with the free exercise of the right of suffrage, which is guaranteed in our Constitution and should be preserved.

I am informed that the proponents of this bill neither desired nor intended to so restrict the right of suffrage, and that the proviso was inadvertently drawn.

By returning the bill without my approval, the way may be cleared for the adoption of a law which does correctly express the true intent desired.

For these reasons, House Bill No. 127 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN,  
Governor.

March 23, 1935.

To the Honorable

The House of Representatives of the State of Washington.  
(Through the Secretary of State.)

I am filing herewith, to be transmitted to the House of Representatives at the next session of the legislature, without my approval as to certain sections, Substitute House Bill No. 233, entitled:

“An act relating to the maintenance and control of county and secondary highways in counties of the first class, and declaring an emergency.”

Since the real purpose of this bill will be accomplished by Section 1, and Section 2 might lead to confusion in the purchase of equipment, Section 2 is vetoed, and the remainder of the bill is approved.

Respectfully submitted,

CLARENCE D. MARTIN,  
Governor.

March 25, 1935.

To the Honorable

The House of Representatives of the State of Washington.  
(Through the Secretary of State.)

I am filing herewith, to be transmitted to the House of Representatives at the next session of the legislature, without my approval as to certain sections, House Bill No. 237, entitled:

“An act relating to revenue and taxation; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in business activities; providing for the levy and collection of a tax upon retail sales; providing for the levy and collection of a tax upon the use of personal property; providing for the levy and collection of a tax or excise upon the act or privilege of engaging in public utility business; providing for the levy and collection of a tax upon admissions to any place; providing for the levy and collection of a tax upon sales of liquor; providing for the levy and collection of a tax upon conveyances; providing for the levy and collection of a tax upon stock issues and transfers; providing for the levy and collection of a tax or excise upon the business of engaging in radio broadcasting; providing for the levy and collection of a tax upon the sale, use or distribution of fuel oil and diesel oil; providing for the levy and collection of a tax upon the sale, use, consumption or distribution of cigarettes; providing for the levy and collection of a tax upon the sale, use, consumption or distribution of proprietary medicines and toilet preparations; providing for the levy and collection of a store license tax; providing for the levy and collection of a tax on inheritances; providing for the levy and collection of a tax on gifts; providing for the levy and collection of a tax according to or measured by the net income of banks and corporations; providing the necessary administrative machinery for the collection and enforcement of the taxes hereunder; providing for certain exemptions and deductions; declaring certain acts in connection therewith unlawful and providing penalties; making appropriations; providing for the distribution of revenue derived hereunder; providing for shortening the operative period of Chapter 191, Laws of 1933, as amended; providing for the amendment of Sections 1, 2, 8, 12, 13, 15

and 18, Chapter 55, Laws of 1901, as amended, Section 4, Chapter 146, Laws of 1917, as amended, Section 95, Chapter 156, Laws of 1917, as amended, Section 5, Chapter 205, Laws of 1929, and Sections 4 and 7, Chapter 134, Laws of 1931; providing for the repeal of Section 1, Chapter 135, Laws of 1929, Sections 1 and 2, Chapter 202, Laws of 1929, as amended, Sections 28, 29, 30, 31 and 32, Chapter 130, Laws of Extraordinary Session 1925, and all acts and parts of acts in conflict therewith; declaring an emergency and that this act shall take effect immediately."

This act is made necessary for the support of the state government, and particularly for the support of the schools, and the new and added burdens assumed by the state, such as old age assistance and relief. Under the limitation imposed on property millage through initiative it is necessary to provide additional revenue through new sources of taxation. In the main this act is approved. Certain provisions, however, in my judgment should be eliminated.

Title IX, being Sections 61 to 73, inclusive, and imposing a tax on stock issues and transfers, is vetoed. This tax is one of the so-called nuisance taxes, and the revenue likely to be produced thereby, in my judgment, will not be sufficient to justify the expense of collection and the general annoyance resulting therefrom.

Title XIII, being Sections 96 to 98, inclusive, and imposing a tax on proprietary medicines and toilet preparations, is vetoed. This tax will be most difficult of enforcement, and the revenue likely to be produced thereby, in my judgment, will not justify its imposition.

Title XIV, being Sections 99 to 103, inclusive, imposing a graduated store license fee, is vetoed. The schedule of license fee entitled by Title XIV is highly discriminatory. The license fees imposed under this title are greatly in excess of those imposed by Senate Bill No. 10, of the 1933 legislature, which was vetoed by me. At that time much of the complaint against chain stores was based on allegations of unfair trade practices. Information coming to us since would indicate that the operations of the State A. A. A. Act has gone far toward the elimination of these difficulties. Further relief has been indicated by the recent adoption of a Fair Practice Act.

I cannot reconcile this measure with sound public policy. The rates are exorbitant and utterly unfair. I am unable to give this measure my approval.

The following sections in Title XV, relating to inheritance tax, are also vetoed as follows:

Section 105 amends existing law so as to increase from two to four years the period within which a transfer of property made by a decedent shall be presumed to have been made in contemplation of death. In my opinion the period provided by existing law is ample to properly enforce the inheritance tax laws. For this reason Section 105 is vetoed.

Section 109 changes the period within which inheritance taxes must be paid or interest be charged thereon, and also changes the rate of interest chargeable in such cases. It is my opinion that the existing law is preferable to Section 109. For this reason Section 109 is vetoed.

Section 110 amends existing law by prescribing certain facts which must be set forth in the statement filed with the county clerk. I am vetoing

Section 110 because I believe that the additional requirements prescribed by the section are unnecessary in view of the provisions of Section 111.

Sections 116 to 120, inclusive, place restrictions upon corporate stock transfers and upon various named depository institutions which to my mind are unreasonably strict, and would tend to cause an unjustifiable inconvenience to the heirs and relatives of deceased persons. For these reasons Sections 116, 117, 118, 119 and 120 are vetoed.

Title XVI, being Sections 128 to 158, inclusive, and relating to the gift tax, are vetoed. Only a very few states have attempted to impose a gift tax. The Federal Government has had such a provision in its laws for many years, and experience has shown that the tax is easily evaded, and the amount of revenue produced thereby has been very small. In my opinion the possible revenue which might be produced by the gift tax would not justify its adoption.

With the exception of the vetoes hereinbefore specifically mentioned, House Bill No. 237 is hereby approved.

Respectfully submitted,

CLARENCE D. MARTIN,

Governor.

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March 25, 1935.

To the Honorable

The House of Representatives of the State of Washington.  
(Through the Secretary of State.)

I am filing herewith, to be transmitted to the House of Representatives at the next session of the legislature, without my approval, House Bill No. 370, entitled:

“An act relating to the Washington Emergency Relief Administration; making an appropriation, and declaring an emergency.”

In my message to the legislature, I recommended an investigation to reassure the people that Federal and state money spent for direct and work relief was handled in an honest and capable manner, and urged that the investigation be made immediately so the findings would be available before adjournment of the legislature. This was not done. Instead, it is proposed to spend \$25,000.00 for an investigation to run for six months after adjournment of the legislature, which unfortunately might create the impression that the motives are more political than business-like.

I still believe there should be an authoritative and business-like survey of relief operations, not only to reassure the people generally, but also to assure prosecution in the event of misfeasance or malfeasance; and I shall provide necessary funds and see that such an inquiry is made by constituted and qualified state officials, with the promised cooperation of the Federal authorities.

For these reasons, House Bill No. 370 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN,

Governor.

March 22, 1935.

To the Honorable

The House of Representatives of the State of Washington.  
(Through the Secretary of State.)

I am filing herewith, to be transmitted to the House of Representatives at the next session of the legislature, without my approval, House Bill No. 372, entitled:

"An act authorizing and directing the Commissioner of Public Lands to grant to the Wenatchee Reclamation District the right to overflow certain shore lands for reservoir purposes."

In the Constitution the state asserted its ownership to the beds and shores of all navigable waters in the state up to and including the line of ordinary high water within the banks of all navigable rivers and lakes. The legislature by statutory enactment has set up a procedure whereby the Commissioner of Public Lands may grant the right to overflow state lands upon payment of damages. The land department has granted many such rights. These rights have been granted to irrigation districts, cities and to individuals, firms and corporations. In all instances the statutes have been followed and damages have been paid to the state.

The Wenatchee Reclamation District in 1930 applied for the right to overflow the specific shore lands described in House Bill No. 372. The application received consideration by the state land department, and the damages to the state were fixed at \$3,137.75. The district officials accepted such determination and paid to the land department \$500.00 and requested further time, which request was granted. The district has paid nothing further, but the application has not been withdrawn.

Much of the upland adjoining the shore lands described in House Bill No. 372 are University granted lands. The Commissioner of Public Lands and regents of the University have protested against approval of this bill. While the amount involved is small it would create a precedent for the giving away by the state of valuable shore lands and rights of overflow.

For these reasons, House Bill No. 372 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN,  
Governor.

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March 13, 1935.

To the Honorable

The House of Representatives of the State of Washington.

Ladies and Gentlemen:

I am returning herewith, without my approval, House Bill No. 485, entitled:

"An act relating to domestic insurance companies and amending Section 7068 of Remington's Revised Statutes."

House Bill No. 485 amends existing law so as to permit domestic insurance companies to pay "boot money" in exchanges of real or personal property owned.

Insurance laws are enacted primarily for the benefit of policy holders. The assets of insurance companies are in reality simply trust funds held for the benefit of policy holders, and should be carefully protected. Our insurance code, in common with those of other states, forbids the acquisition of real property, except for home office buildings, or where acquired in the collection of debt, thereby preventing speculation and preserving the necessary liquidity. The 1911 code made it mandatory that companies should dispose of property so acquired within a fixed time, and permitted no exchanges whatsoever. These provisions were relaxed by the Laws of 1921 so as to permit exchanges with the permission of the insurance commissioner. To permit companies to pay "boot money" in such exchanges would further relax the statutory safeguards. If House Bill No. 485 were to become a law it would tend to encourage speculation in real estate, and might result in involving a large amount of money in an effort to salvage what in the beginning had been only a comparatively small loss. Existing law gives to the companies all the latitude which sound investment principles would justify. And it seems to me that if any change is to be made it should be a change designed to strengthen rather than to weaken existing law.

Honorable William A. Sullivan, insurance commissioner, has advised me that the amendatory features of House Bill No. 485 are not in harmony with the laws of those states which are recognized as leaders in conserving the best interests of the insuring public, and has urged that I disapprove this bill. I am a firm believer in life insurance, and believe that our laws should provide the maximum of protection for the policy holders. It is my opinion that House Bill No. 485 would not work for the best interests of the insuring public.

For these reasons, House Bill No. 485 is vetoed.

Respectfully submitted,

CLARENCE D. MARTIN,  
Governor.

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March 22, 1935.

To the Honorable

The House of Representatives of the State of Washington.

(Through the Secretary of State.)

Ladies and Gentlemen:

I am filing herewith, to be transmitted to the House of Representatives at the next session of the legislature, without my approval as to certain sections, House Bill No. 529, entitled:

"An act relating to horticulture, amending Sections 1, 2, 11, and 20 of Chapter 166 of the Laws of 1915 as subsequently amended."

Sections 3 and 4 of this bill are approved, and Sections 1, 2, 5, 6 and 7 are vetoed.

This bill was drawn by the Supervisor of Horticulture of the Department of Agriculture at the request of the fruit growing and nursery industry of the state. Sections 1, 2, 5 and 6 were each and all amended after the

bill was introduced so that the purposes sought to be attained have been defeated.

In view of the amendments made to the above mentioned sections there is now no need for Section 7.

For these reasons, Sections 1, 2, 5, 6 and 7 are vetoed, and the remainder of the bill, being Sections 3 and 4, are approved.

Respectfully submitted,

CLARENCE D. MARTIN, .  
Governor.

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# APPENDIX

CONTAINING

ROSTER OF THE SENATE

AND

STANDING COMMITTEES

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SENATE ROSTER, 1935.  
Twenty-fourth Session.

VICTOR A. MEYERS, President.

HARRISON W. MASON, Secretary.

NAME OF MEMBER	Dis-trict	County	Residence	Age	Birthplace	Occupation	Pol-itics	Previous Legislative Experience	
								Senate	House
Barnes, Frank G.	18	{Cowlitz.....} {Wahkiakum...}	Longview	63	Missouri	Investments	R.	1917-19-Ex. 1920-21-23-25-Ex. 1925-27-29-31-33-Ex. 1933-34	
Bengtson, John D.	24	{Mason.....} {Jefferson.....} {Clallam.....}	Hadlock	42	Center, Washington	Merchant	R.		
Brunton, Edw. L.	11	Walla Walla	516 Catherine, Walla Walla	67	Walla Walla, Washington	Life Insurance, Farmer	R.		1931-33-Ex. 1933-34
Dailey, James	35	King	622 Seneca, Seattle	44	Marquette, Michigan	Electrician	D.		
Dawson, Wm. C.	43	King	3419 E. Laurelhurst Drive, Seattle	68	Ohio	Shipping Warehouse	R.	1933-Ex. 1933-34	
Drumbeller, Joseph	7	Spokane	W. 1321 6th, Spokane	34	Spokane	Chemical Engineer	D.		
Duggan, Fred S.	6	Spokane	506 W. 17th, Spokane	55	Lindsay, Ontario	Attorney	D.		
Farquharson, Mary U.	46	King	2126 E. 47th, Seattle	33	Tacoma	Housewife	D.		
Ferryman, John H.	12	Chelan	Wenatchee	63	Pennsylvania	Farmer	D.	1917-19-Ex. 1920-33-Ex. 1933-34	
Gannon, Geo. H.	9	Whitman	Pullman	41	Washington	Banker	D.		
Garrett, C. Nifty	25	Pierce	Box 547, Sumner	65	Missouri	Publisher and Real Estate	D.	1933-Ex. 1933-34	
Keller, J. P.	8	{Adams.....} {Ferry.....} {Lincoln.....}	Odessa	40	Marysville, Kansas	Automobile Dealer	D.		
Kerstetter, G. B.	29	Pierce	4610 So. Park, Tacoma	33	Baxter Sp'gs, Kansas	Chiropractor	D.		
Knutzen, W. J.	40	{San Juan.....} {Skagit.....}	Burlington	55	Iowa	Farmer	R.	1927-29-31-33-Ex. 1933-34	1923-25-Ex. 1925
Kyle, H. I.	30	King	1432 Stevenson, Enumclaw	44	Stratton, Nebraska	Lawyer	D.		
Lovejoy, Geo. A.	36	King	3037 10th Ave. W., Seattle	55	Central City, Nebraska	Insurance Broker	D.	1933-Ex. 1933-34	*1923

\* Oregon.

SENATE ROSTER, 1935—Continued.

NAME OF MEMBER	Dis-trict	County	Residence	Age	Birthplace	Occupation	Pol-itics	Previous Legislative Experience	
								Senate	House
Makstrom, Kathryn E.	27	Pierce	2034 6th, Tacoma	47	Minnesota	Business Woman	D.	1933-Ex. 1933-34	
Maxwell, Earl	31	King	R. F. D. 11, Box 154, Seattle	37	Franklin, Washington	Train Dispatcher	D.		
McAulay, Geo. F.	14	Yakima	304 North 16th Ave., Yakima	64	Cassville, Michigan	Lawyer	D.		
McMillan, David E.	2	{Stevens.....} {Pend Oreille..}	Colville	37	Colville, Washington	Farming, Livestock	D.		
Mehner, Paul	23	Kitsap	209 Wash. St., Bremerton	63	Saxony, Germany	Merchant Tailor	D.	1933-Ex. 1933-34	
Metcaif, Ralph	26	Pierce	918 N. Yakima, Tacoma	72	Rhode Island	Retired	R.	1907-9-11-13-15-17-19-Ex. 1920-21-23-25-27-29-31-33-Ex. 1933-34	1932-33-Ex. 1933-34
Miller, Edmund J.	32	King	4327 Burke, Seattle	44	Canton, South Dakota	Newspaper	D.		
Morrow, P. Frank	45	King	8502 Palatine, Seattle	69	New York	Retired	D.	1933-Ex. 1933-34	
Murfin, A. M.	15	Yakima	Sunnyside	60	Sleepy Eye, Minnesota	Publisher	D.		
{Murphy, James A.	33	King	518 23rd, Seattle	73	Massachusetts	Investments	D.	Ex. 1933-34	
Murphy, KebeL	5	Spokane	Box 141, Hillyard Station, Spokane	51	Michigan	Dairyman	D.	1933-Ex. 1933-34	
Nejson, H. L.	17	Clark	105 E. 30th, Vancouver	58	Massachusetts	Retired	D.	1933-Ex. 1933-34	
Norman, Fred	19	{Pacific.....} {Grays Harbor}	448 8th St., Raymond	52	Illinois	Merchant	R.	1925-Ex. 1925-27-29-31-33-Ex. 1933-34	1919-Ex. 1920
Nugent, Dr. D. O.	20	Lewis	835 So. Pearl, Centralia	51	Louisiana	Surgeon	D.		
Orndorff, W. R.	3	Spokane	E. 714 Sinto, Spokane	69	Pennsylvania	Realtor	D.		
Peires, Ed	4	Spokane	Opportunity	62	Illinois	Fruit Shipper	D.	1933-Ex. 1933-34	

† Appointed in place of Senator Frank R. Marshall.

SENATE ROSTER, 1933—Continued.

NAME OF MEMBER	Dis-trict	County	Residence	Age	Birthplace	Occupation	Pol-ities	Previous Legislative Experience	
								Senate	House
Reardon, Keiron W.....	39	{Island part...} {Snohomish pt.}	221 N. Madison St., Monroe.	34	Iowa.	Editor.....	D.	1933-Ex. 1933-34	.....
Roland, S. C.....	42	Whatcom.....	188 Grant, Bellingham.	40	Ardmore, Oklahoma	Merchant.....	D.	.....	.....
Ronald, Walker G.....	13	{Grant...} {Kittitas...}	Route 3, Ellensburg.....	77	Missouri.	Retired.....	D.	1933-Ex. 1933-34	.....
Ryan, J. H.....	28	Pierce.....	4820 So. D St., Tacoma.....	63	Ohio.	Publisher.....	D.	1933-Ex. 1933-34	1921-23- 31
Ryan, Scott M.....	41	Whatcom.....	Route 2, Lynden.....	55	Nova Scotia, Canada	Farmer.....	D.	1933-Ex. 1933-34	.....
Shorrett, Judson W.....	37	King.....	610 17th North, Seattle.....	58	Panama, Iowa.	Attorney.....	D.	.....	1933-Ex. 1933-34
Smith, Horace E.....	1	{Douglas...} {Okanogan...} {Ferry, Grant.}	Omak.....	49	Ohio.....	Civil Engineer.....	R.	1925-Ex. 1925- 27-29-31-33-Ex. 1933-34	.....
Steele, E. N.....	22	Thurston.....	1323 Franklin, Olympia.....	53	Iowa.....	Attorney.....	D.	1933-Ex. 1933-34	.....
Stinson, Chas. F.....	16	{Benton...} {Franklin...} {Klickitat...} {Skamania...}	412 Shoshone, Pasco.....	59	Kentucky.....	Merchant.....	R.	1929-31-33-Ex. 1933-34	1927
Tewksbury, J. E.....	38	{Island...} {Snohomish...}	Monte Cristo Hotel, Everett.	49	Oreighton, Nebraska	Hotel Business.....	D.	.....	.....
Thein, J. W.....	21	Grays Harbor	420 McKinley, Aberdeen.	57	Minnesota.....	Merchant.....	D.	1933-Ex. 1933-34	.....
Thomas, Paul G.....	34	King.....	4236 W. Walker, Seattle.....	40	West Seattle, Washington	Banking.....	D.	.....	.....
Todd, Chas. H.....	44	King.....	Route 2, Seattle.....	28	Seattle.....	Student.....	D.	1933-Ex. 1933-34	.....
Worum, John P.....	10	{Asotin...} {Columbia...} {Garfield...} {7 Precincts...} {Whitman...}	846 8th St., Clarkston.....	71	Norway.....	Retail Lumber.....	D.	1933-Ex. 1933-34	1927

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**STANDING COMMITTEES OF THE SENATE, 1935.**


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VICTOR A. MEYERS, President  
 HARRISON W. MASON, Secretary

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**Aeronautics**—Senators Todd, Chairman; Lovejoy, Murphy (Kebel), Nugent, Stinson.

**Agriculture**—Senators McMillan, Chairman; Bengtson, Brunton, Drumheller, Knutzen, Murphy (Kebel), Peirce.

**Appropriations**—Senators Ferryman, Chairman; Malstrom, Vice-Chairman; Brunton, Dawson, Drumheller, Gannon, Kerstetter, Lovejoy, Murphy (James A.), Nugent, Peirce, Ryan (Scott M.), Todd.

**Banks and Banking**—Senators Gannon, Chairman; Murfin, Vice-Chairman; Brunton, Drumheller, Duggan, Lovejoy, Malstrom, Norman, Roland, Shorett.

**Cities of the First Class**—Senators Roland, Chairman; Duggan, Kerstetter, Murphy (James A.), Orndorff, Shorett, Thomas.

**Claims and Auditing**—Senators Keller, Chairman; Ferryman, Maxwell, Murphy (James A.), Miller.

**Commerce and Manufacturing**—Senators Dawson, Chairman; Drumheller, Morrow, Ryan (J. H.), Todd.

**Compensation and Fees for State and County Officers**—Senators Miller, Chairman; Bengtson, Ferryman, Murphy (James A.), Nelson, Ronald, Steele.

**Constitutional Revision**—Senators Duggan, Chairman; Kyle, Vice-Chairman; Farquharson, Garrett, Metcalf, Morrow, Peirce, Reardon, Roland, Steele, Thomas.

**Corporations Other Than Municipal**—Senators Bengtson, Chairman; Gannon, Miller, Murfin, Shorett.

**Counties and County Boundaries**—Senators Keller, Chairman; McAulay, Norman, Roland, Worum.

**Dairy and Livestock**—Senators Ryan (Scott M.), Chairman; Barnes, Knutzen, Kyle, McMillan, Murphy (Kebel), Thein.

**Education**—Senators Farquharson, Chairman; Bengtson, Malstrom, Metcalf, Nugent, Orndorff, Tewksbury.

**Educational Institutions**—Senators Shorett, Chairman; Ryan (Scott M.), Vice-Chairman; Brunton, Farquharson, Gannon, Kyle, Malstrom, Murfin, Reardon, Ronald, Todd, Worum.

**Elections and Privileges**—Senators Kyle, Chairman; Drumheller, Duggan, Keller, Maxwell, Morrow, Murphy (James A.), Nelson, Reardon.

**Engrossed Bills**—Senators Murfin, Chairman; Dawson, Mehner, Morrow, Thein.

**Enrolled Bills**—Senators Orndorff, Chairman; Garrett, Knutzen, McMillan, Nelson.

**Federal Relations and Immigration**—Senators Norman, Chairman; Ferryman, Garrett, Kerstetter, Malstrom, Metcalf, Thein.

**Financial Institutions Other Than Banks**—Senators Todd, Chairman; Miller, Vice-Chairman; Dailey, Knutzen, Lovejoy, Mehner, Orndorff, Thein, Thomas.

**Fisheries**—Senators Tewksbury, Chairman; Ryan (J. H.) Vice-Chairman; Dailey, Lovejoy, Mehner, Nelson, Norman, Nugent, Ryan (Scott M.).

**Flood Control**—Senators Maxwell, Chairman; Garrett, Vice-Chairman; Barnes, Knutzen, Kyle, McAulay, Reardon, Ryan (Scott M.), Tewksbury, Thein.

**Forestry and Logged-Off Lands**—Senators Barnes, Chairman; Bengtson, Maxwell, McMillan, Reardon, Ryan (Scott M.), Thein.

**Game and Game Fish**—Senators McAulay, Chairman; Maxwell, Vice-Chairman; Duggan, Gannon, McMillan, Nugent, Smith, Tewksbury, Thein.

**Harbors and Waterways**—Senators Kerstetter, Chairman; Dawson, Steele, Tewksbury, Thomas.

**Horticulture**—Senators Smith, Chairman; Drumheller, Ferryman, Peirce, Stinson.

**Industrial Insurance**—Senators Morrow, Chairman; McMillan, Vice-Chairman; Barnes, Dawson, Kerstetter, Kyle, Mehner, Murphy (Kebel), Nugent.

**Insurance**—Senators Garrett, Chairman; Brunton, Duggan, Lovejoy, Orndorff, Shorett, Stinson, Thomas.

**Judiciary**—Senators Steele, Chairman; McAulay, Vice-Chairman; Brunton, Duggan, Kyle, Metcalf, Murfin, Murphy (James A.), Peirce, Shorett, Stinson, Todd, Worum.

**Labor and Labor Statistics**—Senators Ryan (J. H.), Chairman; Gannon, Knutzen, Morrow, Thomas.

**Legislative Apportionment**—Senators Worum, Chairman; Bengtson, Dawson, Garrett, Kerstetter, McAulay, Peirce, Ronald, Ryan (J. H.)

**Liquor Control**—Senators Lovejoy, Chairman; Thein, Vice-Chairman; Drumheller, Garrett, Keller, Kerstetter, Mehner, Nugent, Orndorff, Roland, Ryan (J. H.), Smith, Steele, Tewksbury, Todd.

**Medicine and Dentistry, Pure Foods and Drugs**—Senators Nugent, Chairman; Kerstetter, Maxwell, Miller, Nelson, Smith, Thomas.

**Memorials**—Senators Metcalf, Chairman; Maxwell, Ryan (Scott M.).

**Military**—Senators Brunton, Chairman; Gannon, Garrett, Nelson, Orndorff, Ryan (Scott M.), Shorett.

**Mines and Mining**—Senators Drumheller, Chairman; Dailey, Garrett, Orndorff, Ronald, Smith, Roland.

**Municipal Corporations Other Than First Class**—Senators Maxwell, Chairman; Barnes, Ferryman, Keller, Kyle, Mehner, Norman.

**Parks and Playgrounds**—Senators Thomas, Chairman; Dailey, Farquharson, Gannon, McAulay, Nelson, Stinson, Todd.

**Printing**—Senators Murfin, Chairman; Garrett, Murphy (James A.), Norman, Ryan (J. H.)

**Public Buildings and Grounds**—Senators Nelson, Chairman; Lovejoy, Mehner, Nugent, Steele.

**Public Morals**—Senators Orndorff, Chairman; Drumheller, Malstrom, Miller, Murphy (James A.), Norman, Tewksbury.

**Public Utilities**—Senators Peirce, Chairman; Morrow, Vice-Chairman; McAulay, McMillan, Metcalf, Murphy (Kebel), Roland, Ryan (J. H.), Thomas, Worum.

**Public Welfare and Unemployment Relief**—Senators Murphy (James A.), Chairman; Dailey, Vice-Chairman; Barnes, Farquharson, Keller, Malstrom, Orndorff, Peirce, Reardon, Ryan (J. H.), Ryan (Scott M.), Thein, Thomas.

**Railroads and Transportation**—Senators Stinson, Chairman; Murphy (Kebel), Vice-Chairman; Dawson, Garrett, Keller, McAulay, McMillan, Nelson, Roland.

**Reclamation, Irrigation, Dikes, Drains and Ditches**—Senators Knutzen, Chairman; Ferryman, McAulay, Ronald, Smith, Stinson, Worum.

**Revenue and Taxation**—Senators Mehner, Chairman; Orndorff, Vice-Chairman; Barnes, Dailey, Duggan, Farquharson, Knutzen, Kyle, Metcalf, Morrow, Murfin, Reardon, Ryan (J. H.), Shorett, Steele, Tewksbury, Thomas.

**Roads and Bridges**—Senators Ronald, Chairman; Nelson, Vice-Chairman; Bengtson, Ferryman, Gannon, Garrett, Keller, Maxwell, McAulay, McMillan, Miller, Murphy (Kebel), Norman, Roland, Smith, Stinson, Thein, Worum.

**Rules and Joint Rules**—President, Chairman; Senators Drumheller, Lovejoy, Malstrom, Miller, Peirce, Reardon, Ronald, Smith, Steele.

**Rural Credits and Agricultural Development**—Senators Worum, Chairman; Bengtson, Ferryman, Gannon, Knutzen, McAulay, Metcalf, Peirce, Smith.

**Senate Employees**—Senators Murphy (Kebel), Chairman; Roland, Ryan (J. H.).

**State Charitable Institutions**—Senators Dailey, Chairman; Farquharson, Kerstetter, Murphy (James A.), Nelson, Orndorff, Tewksbury.

**State Granted, School and Tide Lands**—Senators Thein, Chairman; Barnes, Bengtson, Dailey, McAulay, Mehner, Miller.

**State Library**—Senators Malstrom, Chairman; Brunton, Farquharson, McMillan, Ronald.

**State Penal and Reformatory Institutions**—Senators Reardon, Chairman; Duggan, Keller, Murfin, Murphy (Kebel), Nugent, Ryan (Scott M.).

## **ERRATA**

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On page 258, the paragraph following "Message from the House," should read as follows:

"The President signed Senate Joint Resolution No. 6, House Bill No. 87, House Bill No. 86, House Bill No. 69, House Bill No. 68, House Bill No. 118, also House Joint Memorial No. 3."

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AND

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23. Senator Duggan: An act relating to persons convicted of certain crimes, excluding murder, robbery, rape, etc. may not have more than the last one-half of sentences suspended.....	41						
24. Senator Lovejoy: An act relating to disposal of sewage.....	42						
25. Senator Todd: An act relating to crimes and punishments.....	77						
26. Senator Todd: An act relating to work on mining claims.....	77	235					
27. Senator Maxwell: An act relating to prohibiting the use of tear bombs and other dangerous chemicals in labor disputes...	77						
28. Senator Mehner: An act relating to taxation.....	77						
29. Senators Malstrom and Kerstetter: An act relating to regulating the possession etc. of dead human bodies.....	77	236, 307	300	310, 312			
30. Senator Nelson: An act relating to taxation; imposing a severance tax upon natural products.....	78						

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31. Senator Reardon: An act relating to elections.....	78	314, 540	541	523, 542, 582	542				
32. Senators Steele and Nugent: An act relating to abortion.....	78	160, 176	177		178				
33. Senators Steele and Peirce: An act relating to changing the name of the Department of Public Works to the Department of Public Service.....	78	102, 111	112	104	112, 104	194	206	219	208
34. Senator Keller: An act relating to dogs, and collection of annual taxes thereon.....	83	191	214	215, 217, 215, 218		707	727	746	
35. Senator McMillan: An act relating to transportation by motor vehicle, and fees to be paid therefor.....	83								
36. Senator Murphy (James A.): An act relating to real property under execution.....	83	150	176		176	377	387	389	430
37. Senator Murphy (Jas. A.): An act relating to wages of employees and workmen, creating a lien therefor.....	83	300	446	416, 447					
38. Senator Murphy (Jas. A.): An act relating to regulating payment of wages in private employments.....	84	209	443		443	707	727	746	
39. Senator Nugent: An act relating to issuance of utility warrants and bonds of incorporated cities.....	84	356							
39. (Substitute) Committee on Municipal Corporations Other Than First Class: An act relating to issuance of utility warrants and bonds of incorporated cities.....	360		445		445	664	728	746	
40. Senator Miller: An act relating to public service companies.....	84	98, 125, 151	112, 151	113	151				
41. Senator Worum: An act relating to counties and commissioner's districts.....	84	123	203		203				

42. <b>Senators Farquharson and Thomas:</b> An act relating to a retirement pension for all persons over fifty years of age.....	84	439				
43. <b>Senator Miller:</b> An act relating to a general and uniform system of schools.....	85	183				
44. <b>Senators Thomas, Ryan (Scott M.), Farquharson, Malmstrom, Morrow and Kyle:</b> An act relating to and providing for the nomination and election of the Superintendent of Public Instruction.....	85					
45. <b>Senators Norman and Thein:</b> An act relating to the Twin Harbors Beach Highway.....	85					
46. <b>Senators Norman and Thein:</b> An act relating to State Road No. 19.....	85					
47. <b>Senator Duggan:</b> An act relating to a penalty for reckless driving.....	85	258				
48. <b>Senator Duggan:</b> An act relating to motor vehicles; regulating their operation, etc.....	85					
49. <b>Senators Malmstrom, Ryan (J. H.) and Farquharson:</b> An act relating to the selection of jurors in the superior courts.....	86					
50. <b>Senators Morrow, Miller, Ryan (J. H.), Farquharson, Murphy (J. A.), Thomas, Kerstetter, Bengtson, Dalley, Gannon, Kyle, Roland and Ryan (Scott M.):</b> An act relating to elections.....	87					
51. <b>Senator Orndorff:</b> An act relating to the sale by counties of property acquired for taxes.....	87					
52. <b>Committee on Rules and Joint Rules</b> (by departmental request): An act relating to requiring contractors' bond from contractors contracting to do public work.....	87					
53. <b>Senators Thomas, Roland, Gannon, McAulay and Worum:</b> An act relating to the eligibility of senators and representatives employed by the state.....	87					
54. <b>Senators Lovejoy and Gannon:</b> An act relating to mutual savings banks and authorizing pensions for employees of such banks.....	88	180	210	492	210, 492	492 513 521
55. <b>Committee on Rules and Joint Rules</b> (by executive request): An act relating to the creation of a Washington State Highway Code.....	88	371				88, 91



67. <b>Senators Norman and Theim:</b> An act relating to bridges and streets in municipalities.....	94	219					
68. <b>Senator Dailey</b> (by request): An act pertaining to rebate of wages and salaries.....	95		95				
69. <b>Senator Lovejoy:</b> An act relating to the deposit of moneys and assets held by bonded fiduciaries.....	95	491					
70. <b>Senator Miller:</b> An act relating to the regulation and supervision of the issuance of certain securities.....	95	486	372 403, 427				
70. <b>(Substitute) Committee on Judiciary:</b> An act relating to the regulation and supervision of the issuance of certain securities.....	493		503	503	664	725	746
71. <b>Senator Tewksbury:</b> An act relating to the painting of school busses.....	99	133, 202	203	203			
72. <b>Senator Worum:</b> An act relating to and establishing a primary state highway in Asotin county.....	99						
73. <b>Senator Murfin:</b> An act relating to justice courts.....	99	123	153	153	377	387	389
74. <b>Senators Morrow, Kyle, Kerstetter, Murfin, Ryan (Scott M.), Roland, Dalley, Farquharson, Malstrom, Worum and Ferriman:</b> An act relating to levying taxes upon classified properties.....	99						
75. <b>Senator Mehner:</b> An act relating to State Road No. 21.....	99						
76. <b>Committee on Rules and Joint Rules</b> (by departmental request): An act relating to savings and loan associations.....	99	160, 185, 185, 186	99	187	479	492	521 851
77. <b>Senator Nugent:</b> An act relating to and providing for firemen's relief and pension funds.....	100	124, 274	274	272	377	398	403
78. <b>Senator McAulay:</b> An act relating to exemption from garnishment of wages and salaries of elective public officers.....	100	218	251	252	251		
79. <b>Senators Kerstetter, Morrow, Ryan (J. H.), Thomas, Roland, Kyle, Dailey and Malstrom:</b> An act relating to industrial insurance.....	100	125, 575, 576, 584	575, 576	585			
80. <b>Senator Gannon:</b> An act relating to the safety of employees and travelers upon railroads.....	103	257					
81. <b>Senator McMillan</b> (by request): An act relating to the welfare of dependent and delinquent children.....	103	417					

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	Read first and second time and referred.....	Report of Committee.....	Third reading and amendments.....	Other Action in Senate.....	Vote on final passage.....	Message from House.....	Signed by President.....	Signed by Speaker.....	Action by Governor.....
<b>82. Senator Ronald:</b> An act relating to compensation for members of the legislature.....	103								
<b>83. Senators Farquharson, Morrow, Kyle and Gannon:</b> An act providing for instruction in public service in the University of Washington and in the Washington State College.....	103	179	214		214				
<b>84. Senator Mehner:</b> An act relating to toll bridge across Sinclair's Inlet, providing for purchase thereof by state of Washington.....	103								
<b>85. Senators Malstrom, Kerstetter and Miller:</b> An act relating to drugs and medicine.....	104	236, 413, 414, 416	416		416	664	727	746	
<b>86. Committee on Rules and Joint Rules</b> (by departmental request): An act relating to banks and trust companies other than mutual savings banks.....	104	182	104, 237						
<b>86. (Substitute) Committee on Banks and Banking:</b> An act relating to banks and trust companies.....	184	253, 412	412	413	412	639	707	724	
<b>87. Committee on Rules and Joint Rules</b> (by departmental request): An act relating to intoxicating liquors.....	104	257	104, 326						
<b>87. (Substitute) Committee on Liquor Control:</b> An act relating to intoxicating liquors.....	261	368, 387	387, 396	386, 389, 396, 703	398	701, 724	747	749	V Part 851
<b>88. Committee on Rules and Joint Rules</b> (by departmental request): An act relating to banks and trust companies.....	104	124	167	105	167	479	492	521	580
<b>89. Committee on Rules and Joint Rules</b> (by departmental request): An act relating to banks and trust companies.....	105	124	168	105	168	479	492	521	581
<b>90. Committee on Rules and Joint Rules</b> (by departmental request): An act relating to floods and the alleviation thereof.....	105	401							

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90. (Substitute) Committee on Flood Control (by departmental request): An act relating to floods and the alleviation thereof.....	409	517, 550 517, 532	550	699	728	746
91. Committee on Rules and Joint Rules (by departmental request): An act relating to intoxicating liquors; disposition of liquor funds.....	105	117, 143	143 238, 262 143, 262 238, 262	284	284	320
92. Senator Gannon: An act relating to student fees in Washington State College.....	105	170, 304				
92. (Substitute) Committee on Educational Institutions: An act relating to student fees in Washington State College.....	306	377	377	480	513	521
93. Senator Reardon: An act relating to intoxicating liquors, providing for distribution of funds.....	106	191				
94. Senator Reardon: An act relating to probation, parole and sentencing.....	106					
95. Senator McMillan: An act relating to taxation.....	106	193, 208	208	209		
96. Senators Farquharson, Morrow, Kyle and Malmstrom: An act relating to holding and disposition of community property.....	110					
97. Senators Maxwell, Ryan (J. H.), Ronald and Nugent: An act providing for the security of the payment of wage to workers in coal mines.....	110	182 304, 358	122			
98. Senator McMillan: An act relating to certificate of sale and deeds for land sold for assessments of irrigation districts.....	110					
99. Senator Murphy (J. A.): An act relating to voting machines.....	110	219, 316	316	479	492	521
100. Senator Morrow: An act providing for instruction in social economics in the University of Washington.....	111					
101. Senator Gannon: An act relating to elections and precinct election boards.....	111					
102. Senator Gannon: An act relating to elections in second and third class school districts.....	111	312				
103. Senator Mehner (by departmental request): An act relating to taxation.....	117					
104. Senator Miller: An act relating to legal holidays.....	118	364				
105. Senator Thomas: An act relating to public school playgrounds.....	118	181	525 525	664	727	746



117.	Senator Furgurson: An act relating to the Washington State Development Commission.....	126	181	209	210		
118.	Senator Murphy (Kehel): An act relating to agricultural and vegetable seeds.....	126	324, 447	447	447	707	747
119.	Senator Furgurson: An act defining crime of usury by charging in excess of the maximum rate of interest.....	126					
120.	Senator Ronald: An act relating to exemptions of property from attachments and exemptions.....	126	417				
121.	Senators Shorett, Murphy (Jas. A.), Kyle and Malstrom: An act relating to official reports and to the budget system.....	126	302	308	308		
122.	Senator Norman: An act relating to a certain state highway.....	126					
123.	Senators Norman and Thein: An act relating to elections.....	126					
124.	Senator Malstrom: An act relating to closing certain offices on Saturday afternoons.....	127	268				
125.	Senators McAulay and Ronald: An act relating to use and diversion of water.....	127	244				
126.	Senator Dailey: An act defining a homestead, providing for the selection of same and exemption thereof from taxation.....	127	429				
127.	Senator Steele: An act relating to the filling of vacancies on the Supreme and Superior Court benches.....	127					
128.	Senator Lovejoy: An act relating to carriers for hire.....	134					
129.	Senators Thomas, Dailey and Miller: An act defining the term "sanipractic," and regulating the licensing thereof.....	134	324				
130.	Senators Malstrom and Lovejoy: An act pensioning blind people.....	135					
131.	Senator Ferryman: An act relating to garnishment against county, city and other municipal corporations.....	135					
132.	Senator Miller: An act relating to the Washington State Bar Association.....	135					
133.	Senators McAulay, Murfin and Norman: An act relating to State Highway No. 5.....	135					
134.	Senator Maxwell: An act relating to the acquirement and extension of water works.....	135	281	376	376		

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135. <b>Senator Maxwell:</b> An act providing for the amendment of the State Constitution.....	135								
136. <b>Senators Thomas and Kyle:</b> An act relating to elections.....	135								
137. <b>Senator Steele:</b> An act relating to the care of persons suffering from tuberculosis.....	148	219	252		253	463	481	521	
138. <b>Senators Nugent and Maxwell:</b> An act relating to public streets and highways.....	148								
139. <b>Senator Ronald:</b> An act relating to the issuance of search warrants.....	149	417							
140. <b>Senator Orndorff:</b> An act providing for exemption of homes, farms and personal property.....	149								
141. <b>Senator Nelson:</b> An act providing for the drilling of a well.....	149	314							
142. <b>Senator Stinson:</b> An act relating to the tax levy for the reclamation revolving fund.....	162	243	444		444				
143. <b>Senator Reardon:</b> An act relating to revenue and taxation.....	162	183		183					
144. <b>Senator Norman:</b> An act relating to clams.....	162	283, 378	378		378	700			
145. <b>Senator Morrow:</b> An act regulating and licensing the practice of physio-medicine.....	162	324							
146. <b>Senator Garrett:</b> An act relating to obtaining opinion by the Governor or the senate or house of representatives upon constitutional questions.....	162								
147. <b>Senators Miller, Roland, Murphy (Kebel), Bengtson, Kerstetter and Ryan (J. H.):</b> An act relating to short fire arms.....	163	267, 338	339	342	341	707	727	747	

148.	Senators Miller, Roland, Murphy (Kebel), Kerstetter, Ryan (J. H.) and Bengtson: An act relating to narcotics.....	163	324	211				
149.	Committee on Rules and Joint Rules (by executive request): An act relating to the rate of interest to be paid state depositories....	163	205	318	319	479	492	521 616
150.	Committee on Rules and Joint Rules (by agricultural department): An act to prevent fraud or misrepresentation in the sale of gasoline.....	163						
151.	Committee on Rules and Joint Rules (by executive request): An act providing for the investment of the permanent school fund....	163	206, 238	238	480	238, 480	480	518 530 616
152.	Committee on Rules and Joint Rules (by executive request): An act relating to the General Obligation Bonds of 1933 Retirement Fund.....	164	206, 239	239	481	239, 481	480	518 530 616
153.	Committee on Rules and Joint Rules (by request of department of public works): An act relating to steamboat companies.....	164	212, 240	240	241	700		
154.	Committee on Rules and Joint Rules (by request of insurance department): An act relating to regulation of insurance agents, brokers and solicitors.....	164	429					
155.	Committee on Rules and Joint Rules (by request of agricultural department): An act declaring the existence of a state and national agricultural emergency.....	164	256	241				
155.	(Substitute) Committee on Agriculture: An act declaring the existence of a state and national agricultural emergency.....	261		306, 320 332, 333	333	454	460	479 660
156.	Committee on Rules and Joint Rules (by request of department of public works): An act relating to public service companies....	165	335	584				
157.	Committee on Rules and Joint Rules (by request of insurance department): An act relating to insurance.....	165	428	572	573			
158.	Senator Knutzen: An act relating to the withdrawal of property from a diking and/or drainage district.....	171	370	522	522	707	727	747
159.	Senator Knutzen: An act granting additional powers to the commissioners of drainage districts.....	171	371	522 525 727, 744 750, 781	522	724, 744 751, 780	783	840
160.	Senator Knutzen: An act authorizing issuance and sale of bonds for diking and drainage districts.....	172	371	623	523	707	727	747
161.	Committee on Rules and Joint Rules (by request of insurance department): An act relating to insurance.....	172	283, 367	367	368	479	513	521
162.	Senator Nelson: An act relating to school bonds.....	172	304	635	535			
163.	Senator Tewksbury: An act to amend the Constitution of the State of Washington.....	172						



177. Senator Lovejoy: An act relating to the establishment of boards of health . . . . .	196								
178. Senator Gannon (by request of state auditor): An act relating to state owned motor vehicles . . . . .	196								
179. Senator Gannon: An act relating to the unlawful use of state owned vehicles . . . . .	196								
180. Senator Gannon (by request of state auditor): An act appropriating for salaries and wages for judges of the superior court . . . . .	196								
181. Senator Lovejoy: An act relating to taxation . . . . .	196								
182. Senator Gannon: An act transferring certain moneys and abolishing the State Fair Fund . . . . .	197	244	277	277	479	492	521	616	
183. Senator Gannon: An act transferring certain moneys and abolishing the Charitable, Educational, Penal and Reformatory Institution Current Fund . . . . .	197	244	277	277	479	492	521	616	
184. Senator Gannon: An act transferring certain moneys and abolishing the University Current Fund . . . . .	197	244	278	278	479	513	521	616	
185. Senator Gannon: An act transferring certain moneys in the Permanent Highway Fund, and defining the powers and duties of the State Treasurer . . . . .	197	245	278	278	480	513	521	617	
186. Senator Gannon: An act transferring certain moneys and abolishing the Highway Safety Fund . . . . .	197	247, 279	279	279	480	513	521	617	
187. Senator Gannon: An act transferring certain moneys and abolishing the Commission Merchants' Fund . . . . .	197	303							
188. Senator Gannon: An act transferring certain moneys and abolishing the Auto Title Fund . . . . .	198	247, 290	290	291	480	513	521	617	
189. Senator Gannon: An act establishing in the State Treasury a fund to be known as the Federal Experiment Station Fund . . . . .	198	247, 291	291	291	480	513	521	617	
190. Senator Gannon: An act transferring certain moneys and abolishing the Shoreland Improvement Guaranteed Interest Fund . . . . .	198	245	292	292	480	513	521	617	
191. Senator Gannon: An act establishing a fund in the State Treasury to be known as the Federal Cooperative Agricultural Extension Fund . . . . .	198	247, 292	292	292	468	481	521	617	
192. Senator Gannon: An act transferring certain moneys in the Lateral Highway Fund, and defining the powers and duties of the State Treasurer . . . . .	198	245	293	293	463	481	521	617	

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193.	Senator Gannon: An act transferring certain moneys and abolishing the Shoreland Improvement Fund.....	198	245	465	466					
194.	Senator Gannon: An act transferring certain moneys and abolishing the Alaska Yukon Pacific Exposition Guaranteed Interest Fund.....	199	246	293		293	463	481	521	617
195.	Senator Gannon: An act transferring certain moneys and abolishing the Scientific Current School Fund.....	199	246	293		294	463	481	521	617
196.	Senator Gannon: An act transferring certain moneys and abolishing the Penitentiary Revolving Fund.....	199	303							
197.	Senator Gannon: An act transferring certain moneys and abolishing the Reformatory Revolving Fund.....	199	302							
198.	Senator Gannon: An act transferring certain moneys and abolishing the Alaska Yukon Pacific Exposition Fund.....	199	246	294		294	480	513	521	617
199.	Senator Gannon: An act transferring certain moneys and abolishing the Old Age Pension Fund.....	199	302							
200.	Senator Gannon: An act transferring certain moneys and abolishing the Agricultural College Current Fund.....	200	246	294		294	480	513	521	617
201.	Senator Gannon: An act transferring certain moneys and abolishing the Federal Vocational Rehabilitation Fund.....	200	247, 295	295		295	480	513	521	617
202.	Senator Gannon: An act transferring certain moneys and abolishing the Current State School Suspense Fund.....	200	313							
203.	Senator Gannon: An act transferring certain moneys and abolishing the Lewis River Hatchery Fund.....	200	295	296	618	296	480	513	521	V-617 883

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204.	Senator Gannon: An act transferring certain moneys and abolishing the Oyster Reserve Fund.....	200	247				
205.	Senator Smith: An act appropriating money from the general fund to pay certain judgments.....	201					V Part 583
206.	Senator Maxwell: An act relating to elections.....	201	313	524, 727	524	727, 747	748 763
207.	Senator Nelson: An act relating to storage warehouses and warehousemen.....	201					
208.	Senators Furquharson, Malstrom and Morrow: An act relating to household workers.....	207	229				
209.	Senator Miller: An act amending the Washington Agricultural Adjustment Act.....	207					
210.	Senators Garrett, Metcalf and Malstrom: An act relating to State Road No. 5.....	207					
211.	Senator Nugent: An act relating to the sale of food and drinks.....	207	363				
212.	Senators Ronald and Bengtson: An act providing for the number, district and apportionment of the members of the House of Representatives.....	207	351, 362	370 379, 396			
212.	(Substitute) Committee on Judiciary: An act providing for the number, district and apportionment of the members of the House of Representatives.....	394		410 410, 412	411	700	
213.	Senators Nugent and Steele: An act relating to the relief of Joint Drainage Improvement District No. 7.....	207	331				
214.	Senator Miller: An act relating to student fees.....	207	282				
215.	Senator Miller: An act relating to tuition at the University of Washington.....	208					
216.	Senator Reardon: An act relating to the sale of cattle for beef.....	208					
217.	Senator Orndorff: An act providing a special proceeding for recovery of possession of real property wrongfully detained.....	208	440, 533	583 584 546, 726 584, 727	725	747 749	
218.	Senator Roland: An act relating to transportation by motor vehicles.....	212	282	348			
219.	Senator Miller: An act safeguarding the disbursements of funds of any public construction project or for other public purposes.....	212					



230.	Senators Farquharson and Malstrom: An act relating to the processing, sale and distribution of milk.....	227			
231.	Senators Ronald and McAulay: An act relating to irrigation and drainage .....	227	277		
232.	Senator Miller: An act relating to construction of a new route to take traffic of the Pacific Highway through Seattle.....	227			
233.	Senator Roland: An act relating to the appointment of police judges .....	228			
234.	Senator Nugent: An act relating to marriage licenses.....	228			
235.	Senators Peirce and McAulay: An act relating to the rates of common carriers .....	228	570		
236.	Senators McAulay and Ronald: An act relating to the foreclosure of mortgages.....	228	343		
237.	Senator Reardon: An act defining "city busses".....	228			
238.	Senator Lovejoy: An act relating to the development of certain natural resources of the state.....	236			
239.	Senator Nugent: An act relating to education.....	236			
240.	Senator Kyle: An act relating to an excise tax on petroleum products .....	237	305		
241.	Senator Farquharson: An act relating to motor vehicles.....	237			
242.	Senators Murray (Jas. A.), Dalley, Malstrom, Farquharson, Ryan (Scott M.) and Thomas: An act pensioning blind persons..	237	282	342	343, 675 342, 675
243.	Senator Murfin: An act relating to the Department of Public Works .....	248			727 747
244.	Senator Miller: An act relating to port districts.....	248			
245.	Senator Farquharson: An act empowering the State of Washington to write life insurance policies.....	248			
246.	Senators McMillan, Maxwell, Kyle, Keller, Dalley, Miller, Gannon, Roland and Norman: An act providing educational opportunities..	249			
247.	Senator Miller: An act prohibiting the payments of any compensation to directors of savings and loan associations.....	249			



259.	Committee on Mines and Mining: An act relating to development of mines.....	258				310		
260.	Senators Reardon and Maxwell: An act relating to State Road No. 15.....	258						
261.	Senators Miller, Morrow, Dalley, Kerstetter, Thomas, Gannon, Ryan (Scott M.), Nugent, Kyle, Maxwell, Garrett, Murphy (Kebel), Malstrom, Ryan (J. H.), Ferryman, Lovejoy, Roland, Murphy (J. A.), Mehner and Ronald: An act abolishing writs of garnishment.....	259	300	345	346, 357	345		
262.	Senator Miller: An act relating to the practice of public accountancy.....	259						
263.	Senators Murfin and Orndorff: An act to amend section 11097-52 of Remington's Compiled Statutes of 1927.....	259	313					
264.	Senator Reardon: An act relating to motor vehicles.....	259	400	599		599		
265.	Senators Reardon and Tewksbury: An act for the relief of Elizabeth Raymond.....	259						
266.	Senators Ronald and Smith: An act relating to the Department of Conservation and Development.....	269	331	441	442	441		
267.	Senators Dalley, Bengtson, Roland and Murfin: An act relating to mines and mining.....	270	370, 595	596		596	707	727 747
268.	Senators Dalley, Bengtson, Roland and Murfin: An act relating to the regulation of petroleum and natural gas.....	270	370, 466	469	469, 487	469	700	
269.	Senator Ryan (Scott M.): An act permitting the board of county commissioners to lease and to improve county owned land acquired for taxes.....	270	313					
270.	Senators Shorett, Tewksbury, Dalley, Murphy (J. A.) and Morrow: An act relating to water districts.....	270	344	445	445	445	664	727 747
271.	Senator Thomas: An act relating to the savings and loan association act.....	270	597	597		597		
272.	Senator Maxwell: An act relating to motor vehicles.....	270						
273.	Senators Maxwell and Kyle: An act regulating the sale, transfer and possession of certain firearms.....	271						
274.	Senator Murfin: An act relating to taxing districts.....	271	391	472	466	472	707	727 747

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275. <b>Senators Garrett, Lovejoy, Shorett and Stinson:</b> An act relating to insurance.....	284	418	600		690				
276. <b>Senator Shorett:</b> An act amending section 4546 of Remington's Compiled Statutes.....	284	350	534		585				
277. <b>Senator Shorett:</b> An act authorizing the boards of regents of the University of Washington and of the State College to assist the faculties and other employees in purchasing old age annuities.....	284	350	535	535	535	707			
278. <b>Senator Orndorff:</b> An act relating to real estate brokers.....	305								
279. <b>Senator Miller:</b> An act relating to marble games and games of skill.....	305	462, 599	600	600					
280. <b>Senator Theim:</b> An act establishing State Road No. 9 or the Olympic Highway.....	306								
281. <b>Senator Reardon:</b> An act relating to education and providing for the consolidation of school districts.....	306	489	523	523, 525	524				
282. <b>Senator Nugent:</b> An act relating to an appropriation for the University of Washington.....	314								
283. <b>Senator Kerstetter:</b> An act relating to game fishing.....	315	415							
284. <b>Senator Keller:</b> An act relating to primary highways.....	315								
285. <b>Senator Lovejoy:</b> An act relating to the rights of Indians fishing on reservations.....	315								
286. <b>Senators Shorett and Bengtson:</b> An act authorizing the disposal of farm products in cities and counties without a license.....	315								

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287.	<b>Committee on Rules and Joint Rules</b> (by departmental request): An act relating to liquor control board office building.....	315	446 472, 493 676, 724 741, 745 741, 744	676 724, 744 741, 744	844
288.	<b>Senator Malstrom:</b> An act relating to State Road No. 14, known as the Navy Yard Highway.....	315	446, 491, 752, 754	752, 754, 748, 751, 777	
289.	<b>Senator Malstrom:</b> An act relating to State Road No. 2, known as the Sunset Highway.....	325			
290.	<b>Senator Ordord:</b> An act permitting licensed professional and vocational groups to form associations for the purpose of regulating their callings and taking over licensed powers.....	326			
291.	<b>Committee on Rules and Joint Rules</b> (by departmental request): An act relating to the motor vehicle fund and the state park and parkway fund.....	326			
292.	<b>Committee on Rules and Joint Rules</b> (by departmental request): An act relating to the duties of the state parks committee.....	326			
293.	<b>Senators Ryan (J. H.), Malstrom, Metcalf and Kerstetter:</b> An act relating to liens for delinquent charges for water and electric energy.....	326			
294.	<b>Senator Lovejoy:</b> An act relating to initiative and referendum laws.....	326			
295.	<b>Senators Garrett, Thein and Bengtson:</b> An act relating to game animals.....	326	351		
296.	<b>Senator Gannon</b> (by request): An act relating to local improvement districts.....	327			
297.	<b>Committee on Rules and Joint Rules</b> (by departmental request): An act relating to local improvement bonds.....	327	495	531	531
298.	<b>Committee on Rules and Joint Rules</b> (by departmental request): An act relating to public utilities.....	327	496		
299.	<b>Committee on Rules and Joint Rules</b> (by departmental request): An act relating to the construction and financing of public works projects by municipalities.....	327	497, 531	532	532
300.	<b>Committee on Rules and Joint Rules</b> (by departmental request): An act relating to electric energy in the state of Washington.....	327	532	526	532
				664	727
					747
					583

TITLE AND HISTORY OF SENATE BILLS—Continued.

NUMBER, AUTHOR AND SUBJECT	Read first and second time and referred....	Report of Committee.....	Third reading and amendments.....	Other Action in Senate.....	Vote on final passage.....	Message from House.....	Signed by President.....	Signed by Speaker.....	Action by Governor.....
301. <b>Senator Steele:</b> An act relating to boards of directors of union high school districts.....	328	401							
302. <b>Senator McAulay:</b> An act relating to control, management and leasing of certain lands.....	328								
303. <b>Senator Orndorff:</b> An act relating to taxation.....	328	351							
304. <b>Senator Duggan:</b> An act relating to liens for delinquent charges for water and electric energy.....	328								
305. <b>Committee on Appropriations:</b> An act relating to supplementary appropriations.....	335	749							
305. <b>(Substitute) Committee on Appropriations:</b> An act relating to supplementary appropriations.....	750	750	779, 780 730 781, 843, 750, 843, 781, 840	779, 780 779, 780	779, 780 779, 780	777 779, 780 779, 780	844	844	V Part 854
306. <b>Senator Thomas:</b> An act relating to right of trial by jury and change of judge.....	335								
307. <b>Senator Reardon:</b> An act relating to the department of business control.....	335	415	498	498	498	664	727	747	
308. <b>Senator Shorett:</b> An act authorizing cities of the first class to borrow money.....	335								
309. <b>Senator Gannon:</b> An act providing for the creation of a state school equalization fund.....	336								
310. <b>Senator Tewksbury:</b> An act relating to water and water power districts.....	336	490	536		536				

V—Vetoed.

311.	Senator Ferryman: An act transferring money in the domestic animal protection fund and wild animal fund.....	386	357			
312.	Committee on Commerce and Manufacturing: An act creating a committee to be known as the "Committee on Water and Air Pollution".....	336		444		
313.	Senator Nugent: An act relating to food for human consumption.....	336				
314.	Committee on Rules and Joint Rules (by request state parks committee and department of public service): An act relating to railroad and highway crossings.....	336				
315.	Special Committee on Auditing: An act defining the powers and duties of the state auditor.....	352	434			
316.	Special Committee on Auditing: An act defining the powers and duties of certain state officers.....	352	435			
317.	Senator Malstrom: An act relating to feeble minded children.....	352	439			
318.	Senators Brunton, Roland, Kerstetter, Tewksbury, Kyle, Thomas, Nugent, Ryan (J. H.), Maxwell and Ferryman: An act relating to the appointment of three members to constitute the department of public service.....	353	492, 532	532	402	533
319.	Senators Brunton, Ryan (Scott M.), Gannon, Nelson, Shorett, Garrett and Orudorf: An act relating to the payment of retained pay for the enlisted men of the national guard.....	358	478	539	707	727 747
320.	Senator Tewksbury (by request): An act relating to the regulation and control of waters within the state.....	358	491	576	577	
321.	Senator Tewksbury (by request): An act relating to the consolidation of water districts.....	359				
322.	Senator Nugent: An act to establish a central personnel agency.....	359				
323.	Senator Ryan (J. H.): An act relating to the time of payment of real and personal property taxes.....	362	363	466	701 466, 701	700 708 707 718
324.	Committee on Elections and Privileges: An act requiring precinct election officers to prepare copies of the result of votes cast at their precincts for transmittal to the county.....	372		576	707	727 747
325.	Senator Miller: An act relating to taxation.....	373				
326.	Senator Garrett: An act relating to the attorney general.....	373				

## TITLE AND HISTORY OF SENATE BILLS—Continued.

	NUMBER, AUTHOR AND SUBJECT	Read first and second time and referred	Report of Committee	Third reading and amendments	Other Action in Senate	Vote on final passage	Message from House	Signed by President	Signed by Speaker	Action by Governor
327.	<b>Senator Garrett:</b> An act authorizing county commissioners of first class counties to employ a purchasing agent.	373	450							
328.	<b>Senator Beardon:</b> An act defining the term "Street Car Bus."	373	529, 538	536		538	707			
329.	<b>Senator Roland:</b> An act to regulate motor vehicles.	373								
330.	<b>Sensors Theib, Lovejoy, Mehner, Miller, Nugent, Drumheller, Todd and Shorett:</b> An act relating to intoxicating liquors.	374	402	448	448	448	700			
331.	<b>Senator Ryan (J. H.):</b> An act regulating and licensing the practice of naturopathy.	374								
332.	<b>Sensors Steele, Shorett and McAulay:</b> An act relating to publication and sale of Washington supreme court reports.	374	491	574		574				
333.	<b>Senator Ronald:</b> An act relating to public highways.	374	685	637		637	689	727	747	
334.	<b>Senator Ferryman:</b> An act relating to the transportation of motor vehicles.	374	547, 559							
334.	<b>(Substitute) Senator Ferryman:</b> An act relating to the transportation of motor vehicles.		559	561		561				
335.	<b>Committee on Medicine, Dentistry, Pure Food and Drugs:</b> An act relating to dead human bodies.	375								
336.	<b>Senator Murphy (J. A.):</b> An act providing for an additional tax of one cent per gallon on motor vehicle fuel.	375	402							
337.	<b>Sensors Thomas, Roland, McAulay and McMillan:</b> An act relating to leasing owners of motor vehicles from responsibility for injuries to passengers.	375								
338.	<b>Sensors Garrett, Shorett, Thomas, Orndorff, Lovejoy, Brunton and Stinson:</b> An act relating to fraternal insurance.	375	418							

339.	<b>Senators Lovejoy, Miller, Dawson and Todd:</b> An act relating to transit systems in cities of not less than three hundred thousand.	375				
340.	<b>Senator Kyle:</b> An act relating to public roads in the state of Washington.	392	547, 564	568	569	604 746 749
341.	<b>Senators Garrett, Thein, Norman and Steele:</b> An act re-appropriating funds for the Puget Sound-Grays Harbor-Willapa Harbor Canal.	392	479			
342.	<b>Senator Reardon:</b> An act relating to proposed amendments to the constitution.	392	470, 573	573	574	
343.	<b>Senators McAnlay and Shorett:</b> An act providing for annexing county territory.	393	428			
344.	<b>Senator Gannon:</b> An act providing for the investment of available county funds.	393	496			
345.	<b>Senator Nelson:</b> An act relating to taxation.	393	547			
346.	<b>Senator Smith:</b> An act relating to refunding.	403	529	574	574	639 727 747
347.	<b>Senator Kyle:</b> An act relating to the production, transportation and distribution of petroleum, crude oil and Diesel oil, coal oil and gasoline.	403				
348.	<b>Senators Ryan (Scott M.) and Brunton:</b> An act relating to public roads in the state of Washington.	403				
349.	<b>Senator Shorett:</b> An act relating to attorney's fees.	404	562, 590	591	705 592, 706	704 727 747
350.	<b>Senator Shorett:</b> An act relating to unemployment compensation.	404	470, 498	499	404, 662, 500, 662	662 727 747
351.	<b>Committee on Rules and Joint Rules:</b> An act relating to legislative printing expenses.	404		494	494	513 518 531
352.	<b>Committee on Rules and Joint Rules:</b> An act relating to legislative expenses.	405		494	495	513 518 531
353.	<b>Committee on Liquor Control:</b> An act relating to intoxicating liquors.	405		516	616 516, 616	615 707 724
354.	<b>Senator Morrow:</b> An act relating to tax exemptions.	405				
355.	<b>Senator Morrow:</b> An act relating to tax upon gross rentals.	405				
356.	<b>Senator Shorett:</b> An act extending the provisions of the uniform business corporation act.	405				



TITLE AND HISTORY OF SENATE JOINT MEMORIALS.

	NUMBER, AUTHOR AND SUBJECT	Read first and second time and referred....	Report of Committee.....	Third reading and amendments.....	Other Action in Senate.....	Vote on final passage.....	Message from House.....	Signed by President.....	Signed by Speaker.....	Action by Governor.....
1.	Senator Lovejoy: Relating to the Grand Coulee Dam.....	33	80	80	80, 93	80, 93	93	106	110	
2.	Senator Ryan (Scott M.): Relating to a national pension system..	36		36	36	36				
3.	Senator Reardon: Relating to the Civilian Conservation Corps....	36		36	37	36	191	206	219	
4.	Senator Ryan (Scott M.): Relating to the Townsend old age revolving pension plan.....	48	117, 138	138		138				
5.	Senator Norman: Relating to forest products industries and labor of the State of Washington.....	86	117	140	143, 146, 155	142				
6.	Senator Thomas: Relating to national parks and monuments.....	90			90, 98, 107, 108	109				
7.	Senator Norman: Relating to the National Economy Act.....	101	116	144	144	144				
8.	Senator Norman: Relating to the facilities at Soap Lake.....	108		108	108	108	122	138	153	
9.	Senator Miller: Relating to the abolition of interest bearing U. S. bonds.....	115	192	210	210	210, 226	210, 226			
10.	Senators Maxwell and Barnes: Relating to flood control.....	121	163	193		193	289	305	314	
11.	Senators McAulay and Murfin: Relating to the Roza reclamation project.....	121		121	121	121	148	138	153	
12.	Senators Shorett, Gannon, Ryan (J. H.), Kerstetter, Drumheller and Murfin: Relating to old age pensions.....	139		139	140	146, 156	139, 156			
13.	Senator Melner: Relating to an appropriation for federal and state hospitals.....	147	192	272		272				

TITLE AND HISTORY OF SENATE JOINT MEMORIALS—Continued.

NUMBER, AUTHOR AND SUBJECT	Read first and second time and referred...	Report of Committee.....	Third reading and amendments.....	Other Action in Senate.....	Vote on final passage.....	Message from House.....	Signed by President.....	Signed by Speaker.....	Action by Governor.....
14. <b>Senators Kyle and Gannon:</b> Relating to the employment of American citizens.....	147	300							
15. <b>Senator Maxwell:</b> Asking Congress for relief to owners of residential property.....	154	192	273	273	273				
16. <b>Senator McMillan:</b> Relating to the relief of farmers.....	154	193	216		216	305	319	320	
17. <b>Senator Bengtson:</b> Relating to a bridge over the Portage Canal.....	204	227	273		273				
18. <b>Senator Murphy (Jas. A.):</b> Relating to a tunnel through the Cascade mountains.....	217	268							
18. <b>(Substitute) Committee on Memorials:</b> Relating to a tunnel through the Cascade mountains.....	268	268	444	445	444				
19. <b>Senator Tewksbury:</b> Relating to loans to oyster planters.....	234		284	234	234				
20. <b>Senator Mehner:</b> Relating to toll bridges.....	242								
21. <b>Senator Dailey:</b> Relating to an allocation of P. W. A. funds.....	311								
22. <b>Senators Garrett, Norman, Steele and Thein:</b> Relating to a system of canals.....	323		323		323				
23. <b>Senator Tewksbury:</b> Relating to air bases.....	334		334		334				
24. <b>Committee on Memorials:</b> Relating to flood control.....	389								
25. <b>Senator McAulay:</b> Relating to the hop industry.....	399	420							



TITLE AND HISTORY OF SENATE JOINT RESOLUTIONS—Continued.

NUMBER, AUTHOR AND SUBJECT	Read first and second time and referred...	Report of Committee....	Third reading and amendments.....	Other Action in Senate.....	Vote on final passage.....	Message from House.....	Signed by President.....	Signed by Speaker.....	Action by Governor.....
13. <b>Senator Gannon:</b> Relating to an amendment to the Constitution of the State of Washington.....	190								
14. <b>Senator Gannon:</b> Relating to an amendment to the Constitution of the State of Washington.....	190								
15. <b>Senator Gannon:</b> Relating to an amendment to the Constitution of the State of Washington.....	190								
16. <b>Senator Gannon:</b> Relating to an amendment to the Constitution of the State of Washington.....	190								
17. <b>Senator Morrow:</b> Relating to an amendment to the Constitution of the State of Washington.....	234								
18. <b>Senator Lovejoy:</b> Relating to the shipping of steelhead trout.....	311	519							
19. <b>Senators Lovejoy and Malstrom:</b> Relating to the flax industry.....	311	335, 544	544		545	664	727	746	
20. <b>Senator Ronald:</b> Relating to an amendment to the Constitution of the State of Washington.....	300	461	525	526	526	707	728	746	
21. <b>Senator Nelson:</b> Relating to a joint meeting with the members of the Oregon roads and bridges committee.....	390		390	529	300	408, 454	426	431	
22. <b>Senator Murphy (James A.):</b> Relating to an amendment to the State Constitution.....	400								
23. <b>Senator Miller:</b> Dividing the state into eastern and western Washington.....	429								
24. <b>Senator Nelson:</b> Relating to the restoration of Old Fort Vancouver.....	657		657	657	657				

TITLE AND HISTORY OF SENATE CONCURRENT RESOLUTIONS.

NUMBER, AUTHOR AND SUBJECT	Read first and second time and referred.....	Report of Committee.....	Third reading and amendments.....	Other Action in Senate.....	Vote on final passage.....	Message from House.....	Signed by President.....	Signed by Speaker.....	Action by Governor.....
1. <b>Senator Pelree:</b> Relating to the time of convening of the Senate and the House.....	16	.....	.....	16 32, 49	50	.....	.....	.....	.....
2. <b>Senator Reardon:</b> Relating to a state auditing system.....	86	.....	107	107, 202	107	194, 220	206	219	.....
3. <b>Senators Malstrom and Murphy (J. A.):</b> Relating to Washington state day.....	79	.....	79	.....	79	194	206	219	.....
4. <b>Senator Garrett:</b> Amending Joint Rule No. 19.....	90	.....	166	167	166	.....	.....	.....	.....
5. <b>Senator Lovejoy:</b> Relating to a joint session.....	216	.....	216	.....	216	220	220	222	.....
6. <b>Senator Miller:</b> Relating to the closing of the business of the 1935 session.....	389	.....	389	400	.....	.....	.....	.....	.....
7. <b>Senator Pelree:</b> Relating to adjournment "sine die".....	847	.....	847	847	847	847	848	848	.....

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE.

	Received from House.....	Read first and second time and referred...	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other Action on bill.....	Signed by Speaker.....	Signed by President.....	Governor's veto message.....
2. Rep. Herren: An act relating to criminal prosecution.....	269	284	344						
5. (Engrossed) Rep. McDonald (D. A.): An act relating to chiropody.....	269	271	419	453	453		479	461	
6. (Engrossed) Rep. McDonald (D. A.): An act relating to sewage systems.....	572	585							
10. (Engrossed) Rep. McDonald (D. A.): An act relating to recount of votes.....	171	185	314						
17. (Engrossed) Rep. Parker: An act relating to term of office of county officials.....	252	259	364						
21. Rep. Smith (J. B.): An act relating to city employees.....	212	213	300	354	354		362	362	
22. Rep. Holt: An act relating to land.....	269	284	344						
23. (Engrossed Substitute) Committee on Public Utilities: An act relating to fire protection.....	614	618							
36. Rep. Neff: An act relating to timber.....	122	125	580						
39. (Re-Engrossed) Reps. Jones, Johnson (Hans), Brown and Smith (B. L.): An act relating to collection of taxes.....	162	173	219, 457	457, 458, 544	458, 544	408, 513, 522, 526, 530, 543, 563	603	604	
41. (Engrossed) Reps. McCarty, Freese, Boyle: An act relating to the health of children.....	129	136	182	285	285		314	319	
45. (Engrossed) Reps. Boyce, Smith (J. B.), McDonald (J. D.), Johnson (Hans): An act amending Remington's Revised Statutes.....	129	136	158	174	174		194	194	
46. (Engrossed Substitute) Committee on Medicine, Dentistry, Pure Foods and Drugs: An act relating to dentistry.....	342	353	420, 471	471	471		471, 497	530	

NUMBER, AUTHOR AND SUBJECT

54. (Engrossed) Rep. Dixon: An act relating to wages on public work .....	129	136	300	354	354	362	362
55. (Engrossed Substitute) Committee on Roads and Bridges: An act relating to motor fuel and lubricants .....	219	221	314, 355			255, 355 356, 357	
56. Rep. Boede: An act for the relief of H. H. Matteson .....	572	585					
58. (Engrossed) Rep. Sullivan: An act relating to reassessment of timber lands .....	572	586	624				
60. (Engrossed Substitute) Committee on Appropriations: An act relating to blind students .....	614	618	650	678	678	746	747
63. (Engrossed) Rep. Clark: An act relating to the relief of soldiers, sailors and marines .....	310	315	365	365	366	366	402 403
64. (Re-Engrossed) Rep. Holt: An act relating to assessments .....	162	173	219, 361	361	362	398	
67. (Engrossed) Rep. Yantis: An act relating to the state law library .....	103	106	219	238	289	288 289, 314 319, 378	
68. Rep. Yantis: An act relating to savings and loan associations .....	161	165	206	228	229	258	258
69. Rep. Yantis: An act relating to mutual savings banks .....	161	165	180	229	229	258	258
71. (Engrossed) Rep. Cohen: An act relating to unemployment insurance .....	572	586					
72. (Engrossed) Rep. Brown: An act for the relief of E. J. Rohrbach and Norris E. Inveen .....	220	228					
76. (Engrossed Second Substitute) Committee on Labor and Labor Statisticians: An act relating to employment .....	606	608	624				
78. Rep. Ott: An act relating to political organizations .....	148	149					
85. (Engrossed) Rep. McCarty: An act relating to the hours of labor .....	377	383					
86. Rep. Yantis: An act relating to trust funds .....	161	166	181	229	229	239	258 258
87. Rep. Yantis: An act relating to insurance companies .....	161	166	188	230	230	258	258
89. (Engrossed) Rep. McDonald (D. A.): An act relating to judgments .....	171	185	268, 472	473	473	530	530

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued.

NUMBER, AUTHOR AND SUBJECT	Received from House.....	Read first and second time and referred....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other Action on bill.....	Signed by Speaker.....	Signed by President.....	Governor's veto message.....
91. (Engrossed) Reps. Adams and Gehlen: An act relating to intoxicating liquors.....	284	285	301	353	353		302	302	
98. Rep. Gardner: An act relating to vehicles.....	606	608		657			724	728	
104. (Engrossed) Rep. Keen: An act relating to a bridge across Columbia Slough.....	572	586	579	657	657	700			
108. (Engrossed) Rep. Yantis: An act relating to planning commissions.....	269	285	345, 395	395	396	361 335, 396 409, 430	430	430	
109. Rep. Cohen (by departmental request): An act relating to the estate of J. H. Payne.....	162	173	264	481	481		521	522	
110. Rep. Cohen (by departmental request): An act relating to the Great Northern Railway Co.....	162	173	264	482	482		521	522	
111. Rep. Cohen (by departmental request): An act relating to a conveyance by quit claim deed in behalf of the State of Washington to Olive Sundee and Ruby Christenson.....	162	173	265	482	482		521	522	
112. Rep. Cohen (by departmental request): An act relating to quit claim deed in behalf of the State of Washington to the G. N. Ry. Co.....	162	173	265	483	483		521	522	
113. Rep. Cohen (by departmental request): An act relating to quit claim deed in behalf of the State of Washington to the G. N. Ry. Co.....	162	174	265	483	483		521	522	
115. (Engrossed) Committee on Education: An act relating to elections.....	110	111	125	167	167	171	194	194	
116. Committee on Reclamation and Irrigation: An act relating to the department of conservation and development.....	122	125	159	174	174		216	216	

118.	(Engrossed) Reps. Adams, McDonald (J. D.), Freese, Strickland, Keen, Voyce, Lindgren, Carty, Ensterday, Ryan, Klemgard, Lynch, Gessell, Johnson (Hans), Dixon, McCarty, Halleran, Wingrove, Ford, Gifford, Parker, Herren, Hales, Sandegren, Bell, Smith (J. B.), Smith (T. E.), Edlund, McDonald (D. A.), McDonald (R. T.), Boyle, Richmond (W. A.), Brown, Hall, Austin, Wilson, Van Dyk, Neal, Drew, Jones, Sawyer, Schultz, Cohen, Neff, Hurley, Titus, Boyden, Clark, Sullivan, Nelsen, Murray, Gowen, Martin (Fred J.), Reilly, Kelly, Wiswall, Wentworth, Gardner, Beehke and Smith (Michael B.): An act relating to pilots	134	183, 220	233	233	231, 239	238	See errata page 370
120.	(Engrossed) Reps. Neal and Hales: An act relating to crimes and punishments	572	625, 672	672	672			
127.	(Engrossed) Judiciary Committee: An act relating to supreme and superior courts	148	181	215	215		220	220
134.	(Re-Engrossed) Rep. Ford: An act relating to municipal funds	220						
139.	Rep. Freese: An act relating to motor trucks	227	402, 679	679	680		723	723
143.	Reps. Carty and Clark: An act relating to port districts	171	235	288	288		314	319
148.	(Engrossed) Rep. Herren: An act relating to manufacture and sale of wines	353	634, 667	669	669, 670, 669, 723	763	777	777
149.	(Engrossed) Rep. Drew: An act relating to taxation	212	343	346	346		389	390
153.	Reps. Herren, Ensterday, Kelly, Schultz, McDonald (D. A.), Sawyer, Lindgren, Carty, Sullivan, Adams and Neff: An act relating to a blanket primary	129						
154.	Committee on Rules and Order (by departmental request): An act relating to an appropriation for the department of licenses	153	166	267, 286	286	287, 297	320	325
155.	(Engrossed) Committee on Rules and Order (by departmental request): An act relating to food and shell fish	462	623			681		
157.	Committee on Rules and Order (by departmental request): An act relating to an appropriation for the state penitentiary	153	267, 287	287	287		314	319
158.	(Engrossed) Committee on Rules and Order (by executive request): An act relating to the administration of the government of the state	377	502	507	511	476	521	522
164.	(Substitute) Judiciary Committee: An act relating to public officials	436	634					

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued.

NUMBER, AUTHOR AND SUBJECT	Received from House.....	Read first and second time and referred.....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other Action on bill.....	Signed by Speaker.....	Signed by President.....	Governor's veto message.....
172. (Engrossed) Reps. Parker and McDonald (D. A.): An act relating to teachers in the public schools.....	572	586	625						
173. Reps. Murray, Ott and Reeves: An act relating to attorneys.....	212	213	344						
176. Committee on Appropriations: An act relating to salaries and wages at W. S. C.....	148	149	479	605	605	664	724	728	
190. (Engrossed Substitute) Judiciary Committee: An act relating to law library fund.....	392	407	634						
191. Reps. Leber and Christenson: An act relating to port districts.....	372	586	603	681	681	678	743	743	
192. Judiciary Committee: An act relating to the assignment of judgments.....	183	201	283, 289	289	290	307	320	325	
194. (Engrossed) Reps. Bice, Karr and Morgan: An act relating to a school holiday.....	325	328	391						
196. Reps. Mackie and Adams: An act relating to city water systems.....	436	441	454						
197. (Engrossed) Rep. Hales: An act relating to the practice of barbering.....	451	451							
198. (Engrossed) Reps. Haddon and Halleran: An act relating to a toll bridge across Sinclair's Inlet.....	548	548	602	654	654	700	724	728	
200. Reps. Jones and Ott: An act relating to the legislature.....	212	213							
208. (Engrossed) Rep. Neff: An act relating to the department of agriculture.....	581	607	630						
214. Rep. Emory: An act relating to safe deposit companies.....	236	251	282						
218. Reps. Richmond (W. A.), Bell, Schroeder and Herren: An act relating to public schools.....	392	407							

220.	(Engrossed) Rep. Martin (J. R.): An act relating to justice courts.....	572	586	632				
221.	Rep. Yantis: An act relating to claims.....	212	214					
223.	(Engrossed) Reps. Lynch and Lindgren: An act relating to op- tometry.....	463	464	479	664	665	724	728
228.	(Engrossed) Rep. Cohen (by request): An act relating to city treasurers.....	377	394	435	474	474	521	522
230.	(Substitute) Committee on Game and Game Fish: An act relat- ing to the director of game fish.....	548	548	580				
231.	Reps. Wentworth, Wilson, Martin (J. R.), Hurley, Cohen, Hales, Neff and Haddon: An act relating to sale of goods with well known trademark and bankrupt sales.....	269	284	350	458	459	497	521 522
233.	(Substitute) Committee on Roads and Bridges: An act relat- ing to country roads.....	284	285	547	680	682 682, 723	743	743 857
236.	(Engrossed) Rep. McDonald (J. D.): An act relating to beauty culture.....	462	492	515				
						689		
						707, 716		
						717, 728		
						741, 742		
						743, 745		
						747, 783		
237.	(Engrossed) Rep. Yantis (by executive request): An act relat- ing to revenue and taxation.....	603	607	675, 683	712	716, 839	840 844	844 857
238.	(Engrossed) Reps. Wannaker, Parker and Edlund: An act re- lating to the practice of engineering.....	392	408	462, 622	622	664	724	728
239.	Rep. Ford: An act relating to certain tide lands.....	572	587	623				
255.	Committee on Appropriations (by executive request): An act relating to deficiency appropriation to the secretary of state.....	220	228	304, 318	318	318	342	342
257.	Rep. Strickland: An act relating to authority in criminal matters.....	606	608		678	678	724	728
259.	(Engrossed) Rep. Boyle: An act relating to free public libraries. .....	325	328	331	626	626	724	728
261.	Reps. Donahue, Sullivan and Gessell: An act relating to elec- tions.....	572	587					
262.	Rep. Hales: An act relating to the deposit of public funds.....	385	394	435	475	475	521	522

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued.

NUMBER, AUTHOR AND SUBJECT	Received from House.....	Read first and second time and referred.....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other Action on bill.....	Signed by Speaker.....	Signed by President.....	Governor's veto message.....
265. (Engrossed) Rep. Yantis: An act relating to foreign corporations.....	551	607	624						
266. Rep. Emory: An act relating to claims against cities.....	454	463							
267. (Engrossed) Rep. Hurley: An act relating to civil service.....	284	285	330	360	361	360, 365	389	300	
270. Rep. Cohen: An act relating to certain lands in Seattle.....	454	463	497						
271. (Engrossed) Rep. Yantis: An act relating to auto transportation companies.....	572	587	612	665	665		724	728	
273. (Engrossed) Reps. Strickland, Wilson and Austin: An act relating to homesteads.....	614	618							
275. Reps. Mackie, Twidwell and Skinner: An act relating to local improvements.....	548	548							
276. (Engrossed) Rep. Keith: An act relating to certified public accountants.....	403	408	440						
277. (Engrossed) Rep. Sullivan: An act relating to relief and compensation for volunteer firemen.....	572	587	614	666	666		724	728	
279. Rep. McDonnell: An act relating to the sale of state lands.....	227	237	303						
282. Reps. Skinner, Twidwell and Mackie: An act relating to local improvements.....	548	563							
285. (Engrossed) Reps. Copeland, Gessell, Edlund, McCarty and Cowen (by departmental request): An act relating to punishment of convicted persons.....	377	394	429	455	456	497	550	530	
286. Rep. McDonald (D. A.): An act providing that no bonds be required of the State of Washington in any of the courts.....	572	587	632	652	652		724	728	

289.	Rep. Adams (by executive request): An act relating to a deficiency appropriation for fisheries department.....	352	350					
290.	(Engrossed) Rep. Yantis (by departmental request): An act relating to taxation of public service companies.....	454	463	490	621	621	724	728
291.	Rep. Yantis (by departmental request): An act relating to the taxation of forest land and forest crops growing thereon.....	548	548	613				
295.	(Engrossed) Reps. Brown, Richmond (W. A.), Hall, Sandgren, Boehlke, Neal, Gessell, Wingrove, Strickland, Lynch, Wiswall, Cohen, McDonald (R. T.), Easterday, Parker, Skinner, Sullivan, Christianson, Leber, Ryan, Austin, Holt, Mackie, McDonnell, McDonald (D. A.), Huefner, Bowden, McDonald (J. D.), Klemgard, Jones, Adams and Keen: An act relating to the Narrows bridge.....	347	353	579	676	677	723	746
306.	Rep. McCarty: An act relating to the system of registration and the method of reporting births and deaths.....	606	608	640				
308.	Rep. Yantis: An act appropriating the sum of \$25,000 for publishing the Session Laws of the 24th Session.....	269	271	271	271	271	307	310
309.	Rep. Luck: An act prohibiting minors from applying for licenses for liquor store permits.....	377	384					
310.	Rep. Yantis: An act relating to taxation.....	572	588					
311.	Rep. Yantis: An act permitting public service companies engaged in interstate commerce to withdraw from certain kinds of business.....	606	609	670				
312.	(Engrossed) Reps. Bowden, Wilson, Strickland, Hurley, Todd and Lynch: An act relating to radio and television.....	454	463	497				
320.	(Engrossed) Rep. Edwards: An act relating to an appropriation for certain persons.....	352	350					
321.	Committee on Appropriations (by departmental request): An act relating to salaries and wages for Commissioner of Public Lands	258	260	305, 317	317	317, 322 318, 322	342	342
324.	(Engrossed) Committee on State Granted, School and Tide Lands (by departmental request): An act relating to lands held in trust by the State.....	252	260	265	483	483	521	522
325.	Committee on State Granted, School and Tide Lands (by departmental request): An act relating to the appraisal of state lands	252	260	266	484	484	521	522

TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued.

NUMBER, AUTHOR AND SUBJECT	Received from House.....	Read first and second time and referred....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other Action on bill.....	Signed by Speaker.....	Signed by President.....	Governor's veto message.....
332b. Committee on State Granted, School and Tide Lands (by departmental request): An act dedicating Pacific Ocean shore from mouth of the Queets River north to Cape Flattery for highway purposes.....	252	260	266	484	484		521	522	
337. Committee on State Granted, School and Tide Lands (by departmental request): An act relating to management, etc., of state lands.....	252	260	266	627	627	664	743	743	
328. Committee on State Granted, School and Tide Lands (by departmental request): An act relating to state land for cemetery purposes.....	252	260	266	484	484		521	522	
329. Committee on State Granted, School and Tide Lands (by departmental request): An act relating to the disposition of improvements on state lands.....	252	260	267	485	485		521	522	
330. Committee on State Granted, School and Tide Lands (by departmental request): An act relating to the acquirement of land for rights of way and drainage.....	252	261	267	485	485		521	522	
331. Committee on Forestry and Logged-off Lands: An act relating to the acquisition of lands in the state.....	252	261	364, 486	487	487	497	521	522	
347. (Engrossed) Rep. Richmond (C. L.): An act relating to an appropriation for litigation purposes.....	426	431							
349. Reps. Reeves, Adams, McDonald (D. A.) and Murray: An act relating to dead human bodies.....	606	609	651						
352. Committee on State Granted, School and Tide Lands (by departmental request): An act relating to local improvement assessments.....	319	328	347						
353. Committee on State Granted, School and Tide Lands: An act relating to oyster lands.....	319	329	346	481	481		521	522	



TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued.

NUMBER, AUTHOR AND SUBJECT	Received from House.....	Read first and second time and referred...	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other Action on bill.....	Signed by Speaker.....	Signed by President.....	Governor's veto message.....
436. Rep. Cohen: An act relating to mines.....	454	464	614						
437. (Engrossed) Rep. Schroeder: An act relating to liability insurance.....	614	619							
447. (Engrossed) Reps. Mackie, Skinner and Twidwell: An act relating to local improvements.....	572	588							
450. Reps. Kelly, Parker, McDonald (D. A.), Emory, Murray, Yantis, Keith, Martin (J. R.), Richmond (W. A.), Relfly, Robbins, Ledgerwood, Sawyer and Ott: An act relating to mortgages.....	572	589	632						
450. (Engrossed) Rep. McDonald (D. A.): An act relating to the relief of Kate Stevens Bates.....	451	451							
404. (Engrossed) Rep. Schultz: An act relating to the establishment of a State Game Fund.....	615	619	670						
408. (Engrossed) Rep. Richmond (W. A.) (by request): An act relating to chiropractors.....	606	609	631						
477. Rep. Neff: An act relating to forest lands.....	572	589	612	653	653		724	728	
479. Committee on Elections and Privileges: An act relating to supreme and superior court judges.....	289	305	458						
483. (Engrossed Substitute) Committee on Roads and Bridges: An act relating to freight transportation by motor vehicle.....	403	408	519, 552	558		603, 613 748, 751		783	
485. Rep. Austin (by request): An act relating to insurance companies.....	436	441	455	455		568, 768, 764, 776		481	V-890
491. (Engrossed) Rep. Devenish: An act relating to the insane.....	454	464							



TITLE AND HISTORY OF HOUSE BILLS IN THE SENATE—Continued.

NUMBER, AUTHOR AND SUBJECT	Received from House	Read first and second time and referred	Report of Committee	Third reading and amendments	Vote on final passage	Other Action on bill	Signed by Speaker	Signed by President	Governor's veto message
571. Committee on Forestry and Logged-off Lands: An act for the protection of forests.....	572	590	612						
580. Rep. Ford: An act relating to a State Hospitalization Board.....	548	549	631						
582. (Engrossed) Reps. Holt and Wannamaker (by executive request): An act relating to an old age pension.....	470	470	501	514	514, 571	506, 514, 530, 539, 544	724	728	
584. (Engrossed Substitute) Committee on Appropriations: An act relating to unemployment relief.....	470	470	501, 511	512	513	476, 505, 513, 518	530	530	
585. Rep. Neff (by departmental request): An act relating to emergency conservation work.....	548	549	624	653	653		724	728	
586. Committee on Rural Credits and Agricultural Development (by executive request): An act relating to county lands.....	607	610	614						
587. (Engrossed) Committee on Rural Credits and Agricultural Development (by executive request): An act relating to county commissioners.....	463	465	496						
590. (Engrossed) Committee on Printing: An act relating to public printing.....	454	461	478	620	620, 664	663	724	728	
604. (Engrossed) Rep. Dixon: An act relating to various state institutions.....	615	619							
606. (Engrossed) Rep. Skinner: An act relating to primary and secondary roads.....	572	590	611	638	639		724	728	
617. Rep. Reilly: An act relating to the State Liquor Control Board..	607	610	671	671	671				
622. Rep. Drew: An act relating to criminal matters.....	607	610		679	679		724	728	

625. Committee on Game and Game Fish: An act relating to certain wild animals .....	572	590	623	
626. Committee on Industrial Insurance (by departmental request): An act relating to the compensation of injured workmen .....	607	610		
637. (Engrossed) Rep. Sandegren: An act relating to taxation .....	572	590	639	
641. Rep. Reeves: An act relating to institutions of higher learning .....	607	610	638	642 643 724 728
644. (Engrossed) Rep. Reeves: An act relating to blind persons .....	615	619		
647. Committee on Reclamation and Irrigation: An act relating to underground waters .....	607	610		
656. Committee on Reclamation and Irrigation: An act relating to the development of the Columbia Basin project .....	615	620	638	643 648 724 728
664. (Engrossed) Reps. Brown, Martin (F. J.), Hurley, McCarty, Drew, Boyle, Parker, Keen, Klemgard, Dixon, Bice and Cohen: An act relating to the sales of property .....	615	620	671	
674. Reps. Brown and Drew: An act relating to the foreclosure of mortgages .....	548	563	594	717
689. Reps. Skinner, Mackie and Twidwell: An act relating to certain bridges .....	548	549	579	656 700 724 728
690. Rep. Luck: An act relating to safety on railroads .....	548	564	570, 628	628 628 564, 620

## TITLE AND HISTORY OF HOUSE JOINT MEMORIALS IN THE SENATE.

NUMBER, AUTHOR AND SUBJECT	Received from House	Read first and second time and referred	Report of Committee	Third reading and amendments	Vote on final passage	Other Action on bill	Signed by Speaker	Signed by President	Governor's veto message
3. (Engrossed) Rep. Parker: Child welfare.	115	115	191	209	209	209	258	258	
4. Reps. Parker, McDonald (D. A.), Wanamaker, Hates and McCarty: Relating to manufacture of munitions.	33	37		37	37	37	98	98	
6. (Engrossed) Reps. Drew and Richmond: Relating to nationalization of banks.	129	133	192						
7. Reps. Easterday, Drew, Boyle, Emory, Ford, Freese, Halleran, Hoit, Hurley, Johnson (W. A.), Martin (F. J.), McCarty, Ott, Richmond (C. L.), Sawyer, Smith (T. E.), Strickland, Todd, Wentworth, Wilson and Gehlen: Relating to veterans' bonus.									
10. Rep. McDonald (D. A.): Relating to Home Owners' Loan Corporation.	77	79		79	79		110	113	
11. Rep. Smith (T. E.): Relating to rehabilitation of homes and families.	98	97	116	144	144	87, 106	153	153	
14. (Engrossed) Committee on Labor and Labor Statistics: Relating to H. B. 87, known as the "Black Bill".	310	311							
15. (Substitute) Rep. Gehlen: Relating to tariff on hay from Canada.	183	190	301						
16. Reps. Herren and Schroeder: Relating to narcissus bulbs.	168	169	478						
17. Rep. McDonald (D. A.): Relating to the Alaska Highway.	123	122		123	123	123	139	139	
18. Rep. McDonald (D. A.): Relating to the Alaska Highway.	227	234	478						
19. Reps. Clark and Wiswall: Relating to narcotics.	212	212	383						
21. Rep. Parker (by departmental request): Relating to Regional Laboratory at W. S. C.	436	440							
22. Reps. Ford and Adams: Relating to Mt. Olympus National Monument.	454	460	519						
23. Rep. Wiswall: Relating to Vancouver Barracks.	305	311	401	745	745		763	777	
26. Reps. Kemp and Wilson: Relating to national defense.	392	399	419						
30. Rep. McDonald (D. A.): Relating to Federal narcotic laws.	342	348	419						
32. (Engrossed) Reps. Murray and Karr: Relating to the apple industry of the state.	426	429	440	620	620		724	728	

TITLE AND HISTORY OF HOUSE JOINT RESOLUTIONS IN THE SENATE.

NUMBER, AUTHOR AND SUBJECT	Received from House	Read first and second time and referred	Report of Committee	Third reading and amendments	Vote on final passage	Other Action on bill	Signed by Speaker	Signed by President	Governor's veto message
10. Rees, Waldron, Adams, Mackie, Richmond (W. A.), Neff, Ford, Wentworth, Wilson, Enserday, Carty, Skinner, Donahoe, Herren, Schultz, Holt, Clark, Keith, Cohen, Yantis, Brown, Bowden, McDonald (J. D.), McCarthy, Martin (F. J.), Strickland, Sullivan, Sawyer, Schroeder, Klebard, Bohke, Drey, Murray, Smith (W. B.), Reeves, Parker, Johnson (Hans), Edlund, Austin, Karr, Gessell, Todd, Freese, Sandegren, Christanson, Wanamaker, McDonald (D. A.), Martin (J. R.), Hales, Kelly, Richmond (C. L.), Dixon, Ryan, Gifford, McDonnell, Van Dyk, Lynch, Devenish, Hueter, Luck, Gehlen, Myers, Boyle, Smith (J. B.), Voyce, Johnston (Geo. H.), Hall, Lindgren, Ledgerwood, Twidwell, Haddon, McDonald (R. T.), Morgan, Jones, Wingrove, Kelly, Coven, Edwards, Hurley, Halleran, Bell, Neal, Nelsen, Smith (T. E.), Boete and McCauley: Relating to constitutional amendment....	222	225	314, 346	346	346	362	380	381	
11. (Substitute) Committee on Rules and Order: Relating to the W. E. R. A. investigation.....									
19. Rees, Yantis, Twidwell, Hall, Bice, Johnson (W. A.), Bell, Wanamaker, Jones, Carty, Parker and Keen: Relating to constitutional amendment .....	232	256	305, 452	452	453	497, 751	521	522	
24. Rees, Cohen, Dixon, Clark, Bowden, Adams, Martin (J. R.), Smith (T. E.), Drey, Christianson, Edlund, Smith (J. B.), Devinish, Yantis, Jones, Wilson, Ledgerwood, Richmond (W. A.), Reeves and Wanamaker: Relating to labor on Bonneville and Coulee Dams .....	480	487				488			
25. Rees, Strickland, Bell, Sandegren, Richmond (W. A.), Schroeder, Herreb, Ryan and Johnson (Hans): Relating to investigation of defunct institutions.....	280	297	401						
	403	429	505						

TITLE AND HISTORY OF HOUSE CONCURRENT RESOLUTIONS IN THE SENATE.

NUMBER, AUTHOR AND SUBJECT	Received from House.....	Read first and second time and referred....	Report of Committee.....	Third reading and amendments.....	Vote on final passage.....	Other Action on bill.....	Signed by Speaker.....	Signed by President.....	Governor's veto message.....
1. Rep. Yantis: Relating to organization of legislature.....	14	14		14	14	15	98	98	
2. Rep. Yantis: Relating to receiving the Governor's message.....	18						98	98	
3. Rep. Yantis: Relating to Joint Rules.....	18						98	98	
7. (Engrossed) Rep. Todd: Relating to investigating the Liquor Board.....	115	116	171			216			
8. Reprs. Myers, Reeves, Edlund, Haddon, Wanamaker, Parker, Boede and Keen: Relating to Father's Day.....	436	440	632						
9. Committee on Printing: Relating to printing the legislative manual.....	115	115	147	147	147		161	167	
10. (Engrossed) Rep. Ledgerwood: Relating to uniformity of warehouse regulations.....	436	440	461	628	628		724	728	
12. Rep. Adams: Relating to adjournment.....	194	194				194			
13. Rep. Holt: Relating to additional time for investigating.....	232	256, 263		263	263	256	307	310	
14. (Engrossed) Rep. Parker: Joint session on February 22nd.....	296	297		297	297		320	325	
15. Reprs. Adams and Ott: Relating to Return Ball.....	342	348		348	348		362	362	
16. Rep. Adams: Relating to considering bills.....	501	502		502	502	502, 530	608	604	

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**Abortion:**

Relating to, unlawful, Senate Bill No. 32.

**Accident Fund:**

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**Agricultural Seed Act:**

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**Agriculture:**

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**Air Bases:**

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**Aircrafts:**

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**Air Pollution:**

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**Alaska Yukon Pacific Exposition Guaranteed Interest Fund:**

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**Alaska Yukon Pioneers:**

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**American Lake Military Reservation:**

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**American Thread Co.:**

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**Animals (see Game and Game Fish).****Annuities (Old Age):**

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**Appraisers:**

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For an additional \$5,000.00 for the printing of 24th legislature, Senate Bill No. 351.

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For conducting a soil survey of lands under irrigation in Kittitas County, \$3,000.00, Senate Bill No. 231.

For drilling a well and installing a water system for the School for the Blind and the School for the Deaf at Vancouver, Washington, Senate Bill No. 141.

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- For preliminary expenses of the State Rural Electrification Authority, \$75,000.00, Senate Bill No. 300.
- For purpose of carrying out the licensing of stores in this state, Senate Bill No. 8.
- For state to go into the gasoline business and control it, Senate Bill No. 16.
- For the carrying out of duties of state pharmacy board, \$10,000.00, Senate Bill No. 85.
- For the enforcement of the laws in regard to aliens, by the attorney general, Senate Bill No. 326.
- For the erection of a monument as a memorial to the memory of the Alaska-Yukon pioneers, Senate Bill No. 360.
- For the extension of State Highway No. 5 of the National Park Highway System an appropriation of \$1,000,000.00, Senate Bill No. 133.
- For the functioning of Washington State Highway Code, Senate Bill No. 55.
- For the printing and distribution of arguments for and against, proposed-amendments to the constitution submitted by the 24th regular session of the legislature, Senate Bill No. 342.
- For the purpose of carrying out the provisions of the State Parole Act, Senate Bill No. 108.
- For the purpose of carrying out provisions of Vital Statistics Act of state department of health an appropriation of \$15,000.00, Senate Bill No. 115.
- For the regulation, under the director of agriculture, of gas dispensing equipment and the sale of motor fuels, Senate Bill No. 150.
- For relief of Dike District No. 5, \$7,974.15, Senate Bill No. 258.
- For relief of Elizabeth Raymond \$3,600.00, Senate Bill No. 265.
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- For the relief of Mrs. Alma Peterson, Senate Bill No. 361.
- For the relief of secondary highways in Whatcom County, \$100,000.00 is appropriated, Senate Bill No. 229.
- For the state park and parkway fund, \$2,000,000.00 for condemnation of timbered areas bordering upon highways, Senate Bill No. 292.
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- From the motor vehicle fund, \$5,000.00 for work chargeable to federal contributing appropriation, Senate Bill No. 57.
- From the motor vehicle fund, \$600,000.00, in aid of a new route to take traffic of the Pacific Highway through Seattle, Senate Bill No. 232.
- From the motor vehicle fund to the state parks and parkway fund for the maintaining of state parks, Senate Bill No. 291.
- Legislative expenses, \$125,000.00, Senate Bill No. 1.
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- Making an appropriation of \$40,000.00 for the material and equipment for the construction of a laboratory for the engineering school of the University of Washington, Senate Bill No. 284.
- Making appropriations for right of way, construction and maintenance of all highways of the department of highways, Senate Bill No. 333.
- Monies credited to the Alaska-Yukon-Pacific Exposition guaranteed interest fund for the establishment of the Western Washington Industrial School, Senate Bill No. 317.
- Providing for an, for the Unemployment Compensation Act, Senate Bill No. 350.
- Reappropriating funds for the Puget Sound-Grays Harbor-Willapa Harbor canal, Senate Bill No. 341.
- Relating to \$500.00 per mile maintenance money, in municipalities, Senate Bill No. 67.
- Relating to the payment of retained pay for enlisted men of the National Guard and making, Senate Bill No. 319.
- See "Budget Bill" submitted by Clarence D. Martin, governor.

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 To discharge the judgment rendered in favor of Union Iron Works, \$18.00;  
 Kern and Kibbe, \$18.00; and Everett Trust and Savings Bank, \$98.80,  
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**Armories:**

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**Asotin County:**

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**Assessed Valuations:**

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**Assessments:**

Allowing deduction in the assessment of homes, exempting homes from levy, distraint or seizure, Senate Bill No. 303.  
 Exempting homesteads, in satisfaction of any improvement, Senate Bill No. 126.  
 Permitting taxing districts to obtain relief by readjustment of such debts provided for under an act of Congress, entitled, "An act to establish a uniform system of bankruptcy throughout the U. S.," Senate Bill No. 274.  
 Permitting the board of county commissioners to lease and improve county owned land acquired for taxes, Senate Bill No. 269.  
 Relating to, in diking and drainage districts, Senate Bill No. 159.  
 Relating to lands sold for assessments of irrigation districts, Senate Bill No. 98.  
 Relating to levying assessments for bonds in diking and drainage districts, Senate Bill No. 160.  
 Relating to, with provision to strike from diking and drainage districts rolls, Senate Bill No. 158.  
 Test of valuation of real property by assessor and amending the law, Senate Bill No. 263.

**Associated Oil Company:**

Gasoline furnished highway department, March 21, 1932, \$1.50, Substitute Senate Bill No. 305.  
 Supplies furnished State Parks Committee in previous biennium, \$63.78, Substitute Senate Bill No. 305.

**Association (Superior Court Judges):**

Deficiency operations (emergency approved May 1, 1934) \$400.00, Substitute Senate Bill No. 305.

**Attachments:**

Relating to exemption of personal property from attachment and execution, Senate Bill No. 120.

**Attorney-General:**

Amending the constitution permitting the Legislature to increase the salary of the, Senate Joint Resolution No. 15.  
 For court costs and expenses in connection with boundary determination between States of Washington and Oregon; and other litigation, \$30,000.00, Substitute Senate Bill No. 305.  
 Relating to enforcement of laws in regard to aliens, Senate Bill No. 326.  
 Requiring the enforcement of the Public Health Act by the, Senate Bill No. 116.  
 Taking over the duties of the Inheritance Tax and Escheat Division of the tax commission, Senate Bill No. 107.

**Attorneys:**

- Repealing the Washington State Bar Association, which regulates the practice of, Senate Bill No. 132.
- Relating to attorney fees in suits upon any policy of insurance, Senate Bill No. 349.

**Auditing System (State):**

- Relating to simplification and strengthening of, Senate Concurrent Resolution No. 2.
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**Automobiles (see Motor Vehicles).****Auto Title Fund:**

- Pertaining to abolishment of the, Senate Bill No. 188.

**Bailey, Joe:**

- Deceased, Administrator of the estate of (Charles P. Moriarty, Administrator, vs. The State of Washington, No. 129529), \$83.70, Substitute Senate Bill No. 305.

**Bailey, W. P. and Kate, Husband and Wife:**

- Account of death of their son, Quentin Bailey, killed by explosion of a dynamite cap alleged to have been left exposed by employees of the state, \$1,000.00, Substitute Senate Bill No. 305.

**Bank Deposits:**

- Providing for separate accounts for savings deposits, Substitute Senate Bill No. 86.

**Bankruptcy:**

- Permitting taxing districts to obtain relief by readjustment of such debts provided for under an act of Congress, entitled, "An act to establish a uniform system of bankruptcy throughout the U. S.," Senate Bill No. 274.
- Relating to lien for employees and workmen on contract work and property in case of, Senate Bill No. 37.

**Banks and Banking:**

- See also Mutual Savings Banks.
- Authorizing pensions for employees of mutual savings banks, Senate Bill No. 54.
- Providing for separate accounts for savings deposits and the repayment thereof, Senate Bill No. 86.
- Providing for the issuance of capital notes or debentures, Senate Bill No. 88.
- Relating to repayment of superadded liability upon the capital stock of a bank or trust company, Senate Bill No. 89.

**Barden, Roy N.:**

- In full settlement for injuries received while on duty as a member of Washington National Guard, resulting in loss of left leg, \$2,280.00, Substitute Senate Bill No. 305.

**Basic Science:**

- Requiring passing of basic science subjects as part of requirements of sanitary examination, Senate Bill No. 129.

**Beef:**

- Relating to the sale of milk cows or bulls for beef purposes and regulating resale thereof, Senate Bill No. 216.

**Beer:**

- Repealing laws requiring a certain age limit on, so as to permit the sale of under aged beer, Senate Bill No. 249.

**Beneficiaries:**

- Defining same, under Firemen's Relief and Pension Fund, Senate Bill No. 77.
- Providing for Firemen's Relief and Pension Funds in certain incorporated, Senate Bill No. 77.

**Berkenfeld, Frank:**

Refund under timber bills of sale Nos. 2112 and 2113, September 2, 1930—shortage in state cruiser's estimate in full settlement, \$4,908.78, Substitute Senate Bill No. 305.

**Bills:**

Relating to introduction of, Senate Concurrent Resolution No. 4.

**Bindweed:**

Prohibiting the sale of bindweed for seeding purposes, Senate Bill No. 118.

**Births:**

Prescribing for method of reporting, House Bill No. 306.

Requiring physicians, midwives and hospitals, any person or institution to furnish to the department of health vital statistics relative to, Senate Bill No. 115.

**Blind:**

Pensioning the blind and providing funds for blind persons, Senate Bill No. 130.

Providing funds for the pensioning of, Senate Bill No. 242.

Right of certain person to assist blind voters to mark their ballots, Senate Bill No. 110.

**Board of Contract and Awards:**

Creating the, consisting of the governor, state treasurer and the state auditor, Senate Bill No. 219.

**Board of Funeral Directors and Embalmers:**

Creating a, regulating the possession, treatment and disposition of dead human bodies and licensing embalmers and funeral directors, Senate Bill No. 335.

**Board of Regents:**

Authorizing the state board of regents of the university of Washington and Washington state college to assist the faculties and other employees in purchasing old age annuities, Senate Bill No. 277.

**Board of Trustees:**

Authorizing the, of the state normal schools relating to old age annuities for the faculties and employees, Senate Bill No. 277.

**Boards:**

Creating the "Washington State Board of Sanipractic," appointing the members of said board, Senate Bill No. 129.

Creating a board of examiners for physio medicine and surgery, Senate Bill No. 145.

Establishing a board of state taxation commissioners, Senate Bill No. 107.

**Boards of Health:**

Establishing, in cities of the second class and third class, defining their powers and duties, Senate Bill No. 177.

**Bombs:**

Prohibiting the use of tear bombs, in labor disputes, Senate Bill No. 27.

**Bonded Persons:**

Relating to agreement between sureties and, Senate Bill No. 69.

**Bonds:**

Appropriating \$251,625 as a loan to capitol building construction fund for interest on capitol building bonds, Senate Bill No. 254.

Approving and confirming bonds and other obligations heretofore issued by public bodies of this state for public works, Senate Bill No. 297.

Authorizing and regulating issuance of bonds by cities, towns, diking, drainage districts, sanitary and sewerage improvement districts, Senate Bill No. 24.

Authorizing fund of general obligation bonds of 1933, retirement fund to be invested in U. S. government certificates, bonds or notes, Senate Bill No. 152.

**Bonds—Continued:**

- Authorizing issuance and sale of bonds in flood control districts, Senate Bill No. 113.
- Authorizing issuance and sale of bonds in diking and drainage districts, Senate Bill No. 160.
- Fixing the terms of utility revenue, Senate Bill No. 134.
- Investment of current funds of the state of Washington by the state finance committee into, Senate Bill No. 253.
- Investment of funds of the accident fund and the reserve fund created by the Workmen's Compensation Act into, Senate Bill No. 252.
- Local improvement bonds may be used in payment of delinquent assessments and/or in redemption of property sold for delinquent assessments, Senate Bill No. 296.
- Pertaining to cancellation of "Common Carrier For Hires" surety, Senate Bill No. 128.
- Providing for the issuance of special fund bonds by any incorporated city or town in the state of Washington for the purpose of funding or refunding, issued for purpose of acquiring certain public utilities, Substitute Senate Bill No. 39.
- Relating to fiduciaries, Senate Bill No. 69.
- Relating to refunding bonds of taxing districts, Senate Bill No. 274.
- Relating to refunding, Senate Bill No. 346.
- Relating to release from liability on surety bonds, Senate Bill No. 165.
- Relating to sheriff indemnity bonds, Senate Bill No. 13.
- Relating to the abolition of interest bearing United States bonds, Senate Joint Memorial No. 9.
- Relating to the issuance and sale of school, Senate Bill No. 162.
- Relative the state rural electrification authority, Senate Bill No. 300.
- Requiring contractors on public work to post a bond for faithful performance, Senate Bill No. 52.
- Requiring a \$5,000.00 bond for custodians of voting machines, Senate Bill No. 99.

**Boundaries:**

- Designating boundary lines of flood control districts, Senate Bill No. 113.

**Boyd, Anna C.:**

- Overpayment on a remittance of \$58.50 for the maintenance of Amella White, a patient, who died on May 6, 1933, at the Western State Hospital, \$34.01, Substitute Senate Bill No. 305.

**Boy Scouts of America:**

- Transferring certain real estate to the Tacoma area council of, Senate Bill No. 223.

**Bridges:**

- (Also see Toll Bridges.)
- Across the Columbia river from Puget island to Wahkiakum county, Senate Bill No. 248.
- Congress memorialized to construct a, to connect Marrowstone island with the mainland, Senate Joint Memorial No. 17.
- Declaring the bridges on certain streets and highways in cities and towns, be a part of state highway system, Senate Bill No. 138.

**Bridges and Streets:**

- Relating to, in municipalities, Senate Bill No. 67.

**Broker:**

- Defining duties and rights under "Securities Act," Senate Bill No. 70.
- Regulating and licensing of insurance, Senate Bill No. 154.
- Relating to real estate brokers, further defining their rights, Senate Bill No. 278.

**Buck, Gene:**

- As president of the American Society of Composers and Publishers (Gene Buck, as president of the American Society of Composers and Publishers v. The State of Washington, No. 15573), \$50.50, Substitute Senate Bill No. 305.

**Buckner, Dr. H. T.:**

Services rendered September 23, 1932, \$50.00, Substitute Senate Bill No. 305.

**Budget Bill:**

For all state administrative purposes, submitted by Clarence D. Martin, governor ..... 51  
 Providing for the filing of quarterly estimates by state institutions and state offices with the division of budget, Senate Bill No. 316.  
 Requiring the director of efficiency to send legislators or legislators-elect preliminary appropriation budget, Senate Bill No. 121.

**Buergers Disease:**

Petitioning Congress to establish domiciliary hospital for veterans affected with, Senate Joint Memorial No. 8.

**Building Construction:**

Relating to codes by cities, Senate Bill No. 4.

**Building Materials:**

Relating to, providing a basing point for prices thereon, Senate Bill No. 353.

**Buildings:**

Relating to, in supplementary appropriation bill, Senate Bill No. 305.

**Bulls:**

Relating to sale of, for beef purposes and regulating resale thereof, Senate Bill No. 216.

**Burger, Guy A.:**

In lieu of military fund, warrant No. 25093, dated December 30, 1920, \$8.00, Substitute Senate Bill No. 305.

**Burglehaus, May S.:**

Doing business as Rosecroft Nurseries, for damages caused by the destruction of black currant bushes under the direction of the director of agriculture of the State of Washington, \$1,937.50, Substitute Senate Bill No. 305.

**Canada Thistle:**

Prohibiting the sale of same, for seeding purposes, Senate Bill No. 118.

**Canal:**

Petitioning Congress that funds be made available for the Puget Sound-Grays Harbor-Willapa Harbor-Columbia River canal, Senate Joint Memorial No. 22.

**Canal Commission:**

Reappropriating funds for the Puget Sound-Grays Harbor-Willapa Harbor canal, to be expended by the, Senate Bill No. 341.

**Candidates:**

Providing for expression of principles of, to be printed upon primary and general election ballots, Senate Bill No. 136.

**Capitalism:**

Right to define what is capitalism, by instructors in "social economics," Senate Bill No. 100.

**Capital Stock:**

Relating to capital notes or debentures of banks, trust companies or mutual savings banks, Senate Bill No. 88.

**Capitol Building Construction Fund:**

Appropriating \$251,625 as a loan to, for interest on capitol building bonds, Senate Bill No. 254.

**Capitol Buildings and Grounds:**

Deficiency operations (emergencies approved November 15, 1934, and February 15, 1935), \$15,500.00, Substitute Senate Bill No. 305.

**Carr, Marie:**

(State of Washington vs. Marie Carr, No. 23357), in full settlement, \$174.35, Substitute Senate Bill No. 305.

**Cascade Truck Company:**

(Cascade Truck Company, a corporation, vs. The State of Washington, No. 15458), \$19.40, Substitute Senate Bill No. 305.

**Cascade Tunnel:**

Petitioning Congress to allocate \$10,000,000.00 for a tunnel through the Cascade mountains, Senate Joint Memorial No. 18.

Petitioning Congress to allocate out of P. W. A. money for the construction of a vehicular tunnel through the Cascades via and under Naches Pass, Substitute Senate Joint Memorial No. 18.

Relating to survey for, Senate Bill No. 63.

**Cement Investigation:**

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**Centralia:**

Providing for lands comprising the site of the State Normal School at Centralia, to be transferred to, the city of, Senate Bill No. 239.

**"Century of Progress":**

Empowering Washington state development commission the custody of all property exhibited at the, Senate Bill No. 117.

**Certificate of Sanitation:**

Required by the state department of health for all operators of tourist camps, Senate Bill No. 114.

**Certificates of Ownership:**

Repealing laws requiring owners of motor vehicles to apply for, Senate Bill No. 241.

**Chain Stores:**

Requiring licenses for operation of, Senate Bill No. 3.

**Charitable Institutions:**

Creating institutions for maintenance, cure, care and rehabilitation of drug addicts, Senate Bill No. 14.

Providing for the investment of the permanent funds of all, Senate Bill No. 151.

**Children (see Minors).****Child Welfare (also see Minors):**

Jurisdiction of children's cases in superior courts, Senate Bill No. 109.

Providing for the care of feeble-minded children and the establishment of an institution for such purposes, Senate Bill No. 317.

Relating to dependent and delinquent children's welfare, Senate Bill No. 81.

**Christmas Trees:**

Relating to severance tax on, Senate Bill No. 30.

**Cities:**

Authorizing cities to license marble games and games of skill, Senate Bill No. 279.

Authorizing cities of the first class to borrow money for corporate purposes on promissory notes, Senate Bill No. 308.

Regulating city "Boards of Health" by state board of health, Senate Bill No. 175.

Relating to acquisition, construction, maintenance, and operation of works for collection, treatment, and disposal of sewage by, Senate Bill No. 24.

Relating to distribution of profits on liquor to, Senate Bill No. 353.

Relating to liens for delinquent charges for water and electric energy furnished by cities, Senate Bill No. 293, also Senate Bill No. 304.

Relating to the establishment of a civil service commission for its employees, Senate Bill No. 322.

Relating to the regulation and control of waters within the State of Washington; vested to any city in the state, Senate Bill No. 320.

**Cities and Towns:**

- Acquiring and the extension of water works system by, Senate Bill No. 134.
- Pertaining to participation of liquor funds for old age pension, Senate Bill No. 93.
- Pertaining to the assessment of taxable property of railroad and telegraph companies in, Senate Bill No. 103.
- Providing for firemen's relief and pension fund, Senate Bill No. 77.
- Providing for founding and refunding of special utility warrants and bonds in, Senate Bill No. 39.
- Regulation by state department of health of tourist camps operated by, Senate Bill No. 114.
- Relating to certain streets and highways and bridges thereon in incorporated, and making appropriations therefor, Senate Bill No. 138.
- Relating to disposal of sewerage, Senate Bill No. 24.
- Relating to garnishment against, Senate Bill No. 131.
- Relating to public utilities and amending present law providing for submission to voters of systems of plans proposed, Senate Bill No. 298.
- Relating to validating of refunding bonds by any city, Senate Bill No. 346.
- Requiring contractors' bonds on all public work, Senate Bill No. 52.
- Simplifying financing of public works and enabling cities and towns to perform contracts with Federal agencies in relation thereto, Senate Bill No. 299.
- Transferring powers of towns to county board of health, Senate Bill No. 177.

**Cities of the First Class:**

- Relating to public utilities of, Senate Bill No. 12.
- Defining powers and duties of public health board in, Senate Bill No. 116.
- Permitting the closing of all elective and appointive offices at 12 o'clock Saturdays, in, Senate Bill 124.
- Authorizing the borrowing of money and the issuance of bonds for constructing and maintaining public golf course, Senate Bill No. 172.
- Appointment of police judges in, Senate Bill No. 233.
- Providing for \$500.00 per mile for streets forming a part of the route of any state highway, Senate Bill No. 340.
- Authorizing, to borrow money for corporate purposes on promissory notes, Senate Bill No. 308.

**Cities of the First Class (300,000 or more):**

- Authorizing—inhabitants owning or acquiring municipal transit systems to provide alternative method for the operation and financing of same, Senate Bill No. 339.

**Cities of the Second Class:**

- Providing for \$500.00 per mile for streets in—forming a part of the route of any primary state highway, Senate Bill No. 340.
- Relating to the establishment of boards of health in, Senate Bill No. 177.

**Cities of the Third Class:**

- Relating to the establishment of boards of health in, Senate Bill No. 177.

**Cities of the Fourth Class:**

- Relating to transfer to county boards of health, the powers of, Senate Bill No. 177.

**Citizenship:**

- Requiring United States citizenship for personnel of state board of health, and all public health, Senate Bill No. 175.

**City Busses:**

- Providing for licensing of, Senate Bill No. 237.

**City Comptroller:**

- Adding duties for the, Senate Bill No. 77.

**City Government:**

- Pertaining to courses of study at schools of higher education in functions of, Senate Bill No. 83.

**City of Bellingham:**

- Local improvement assessment, L. I. D. No. 873, \$11.43, Substitute Senate Bill No. 305.
- Local improvement assessments, lot 37, block 4, Squalicum Park Plat, \$12.65, Substitute Senate Bill No. 305.

**City Officials:**

- Requiring contractor's bond on public work, Senate Bill No. 52.
- Setting time for the election of: except cities of first class, Senate Bill No. 123.

**City of Mount Vernon:**

- Local improvement assessments, lots 15, 16, 17, block 1, Pape's addition to Mount Vernon, \$407.43, Substitute Senate Bill No. 305.

**City of Seattle:**

- For local improvements, appropriating amount of \$11,442.05, Substitute Senate Bill No. 305.
- Local improvement assessments, L. I. D. Nos. 4559, 3795, 4648, 5036, 5363, 13102, 3345, 3355, 3507, 4519, 4564, 5109, 5231, 5302, 5307, 5346 and 5367, \$19,115.52, Substitute Senate Bill No. 305.
- Payment of assessment levied by the city of Seattle by ordinance No. 62123 as amended by ordinance No. 64218, L. I. D. No. 5339, \$21,505.23, Substitute Senate Bill No. 305.

**City of Spokane:**

- Local improvement assessments, L. I. D. Nos. 1645 and 1856, \$77.24, Substitute Senate Bill No. 305.

**City of Tacoma:**

- Local improvement assessments, L. I. D. Nos. 4103, 4286 and 5616, \$2,138.84, Substitute Senate Bill No. 305.

**City of Wenatchee:**

- Local improvement assessment, L. I. D. No. 145, \$116.92, Substitute Senate Bill No. 305.

**Civil Actions:**

- Fixing venue thereof, in justice courts, Senate Bill No. 73.

**Civil Service Commission:**

- Establishing a central personnel agency to co-ordinate all state, county and city employees to be known as the state civil service, Senate Bill No. 322.

**Civilian Conservation Corps:**

- Relating to continuation of, Senate Joint Memorial No. 3.

**Claims:**

- Providing for rights of way and assessments for development of mines, Senate Bill No. 259.
- Relating to the amount of work that can be done on unpatented mining claims, Senate Bill No. 26.

**Clams:**

- Relating to, Senate Bill No. 144.

**Coal:**

- Providing for the security of the payment of wages to workers in coal mines, Senate Bill No. 97.
- Relating to severance tax on, Senate Bill No. 30.

**Colleges:**

- Relating to physio medicine and surgery, Senate Bill No. 145.
- Relating to "Sanipractic" college, Senate Bill No. 129.
- Relating to student fees at Washington State College, Senate Bill No. 92.

**Colyear Motor Sales Company:**

- Supplies furnished highway department, April 30, 1933, \$4.00, Substitute Senate Bill No. 305.

**Columbia Basin Commission:**

Relating to report, pursuant to Chap. 81, Session Laws of 1933..... 14

**Commercial Waterways:**

Relating to the development of, Senate Bill No. 238.

**Commissioner:**

Granting additional powers to, in diking and drainage districts, Senate Bill No. 159.

**Commissioner of Public Lands:**

Cruising storm damaged and fire killed timber; and survey and platting of Quillayute Harbor, \$11,500.00, Substitute Senate Bill No. 305.

Deficiency, salaries, wages and operations (emergency approved January 11, 1935) \$3,000.00, Substitute Senate Bill No. 305.

Deficiency, survey of tide lands (emergency approved June 3, 1933), \$7,250.00, Substitute Senate Bill No. 305.

**Commissioner of Securities:**

Appointment of, by governor, Senate Bill No. 70.

**Commission Merchants Fund:**

Abolishing of the, Senate Bill No. 187.

**Commissions:**

Commission of three appointed by the governor to manage the department of public service, Senate Bill No. 318.

Creating old age pensions, Senate Bill No. 7.

**Committee:**

Relating to the appointment of a; to meet with a similar committee from Oregon in respect to uniformity of marriage licenses, Senate Joint Resolution No. 11.

**Committeemen:**

Providing for a committeeman and a committeewoman in each precinct by each party, Senate Bill No. 222.

**Committeewomen:**

Providing for a committeewoman in each precinct by each party, Senate Bill No. 222.

**Common Carrier:**

In the carriage of passengers and freight, Senate Bill No. 128.

Promoting safety of employees and travelers upon railroads and limiting length of freight and passenger trains, Senate Bill No. 80.

Relating to adjustment of unfair rates of, by department of licenses, Senate Bill No. 235.

Relating to freight and motor vehicles, providing for the supervision, regulation and taxation thereof, Senate Bill No. 218.

**Common Carrier for Hire:**

Relating to bond of, and notice of cancellation of bond of, Senate Bill No. 128.

Relating to freight, by motor vehicles, Senate Bill No. 218.

**Communism:**

Defining what is communism by instructors in "social economics," Senate Bill No. 100.

**Community Property (see Property).****Compensation:**

For members of the state legislature, Senate Bill No. 82.

Providing an additional five dollar expense account for the members of the legislature, Senate Joint Resolution No. 20.

Prohibiting deputy prosecuting attorneys from receiving compensation other than their salary, Senate Bill No. 221.

Prohibiting payment of, by savings and loan associations to directors, when same are not paying dividends, Senate Bill No. 247.

Providing, for the members of the legislature, Senate Joint Resolution No. 20.

**Condemnation:**

- Providing for, of timbered areas bordering upon state highways, Senate Bill No. 292.
- Right of securing for flood control districts, property, by, Senate Bill No. 113.

**Consent to Service:**

- Relating to registration by notification of securities, Senate Bill No. 70.

**Conservation and Development:**

- All fees paid to, shall go to the state reclamation revolving fund, Senate Bill No. 266.
- Duties and administration of director of, in relation to mines and mining, Senate Bill No. 267.
- Prohibiting waste of natural gas and petroleum and specifying duties of director of, Senate Bill No. 268.
- Relating to the supervision of flood control regulations, Senate Bill No. 90.

**Consolidations:**

- Relating to the consolidation of water districts, Senate Bill No. 321.
- Extending the provisions of the uniform business corporation act relative to, mergers and dissolutions, Senate Bill No. 356.

**Constitutional Amendments:**

- Adding section 4 and providing for amending the constitution by initiative petition, Senate Bill No. 50.
- Allowing reorganization and consolidation of counties and abandonment of townships, organizations and power to transfer townships, Senate Joint Resolution No. 4.
- Amending article 7, section 1, of the state constitution, relating to segregation and classification of property, Senate Bill No. 74.
- Amending constitution allowing increase in salary for the, Senate Joint Resolution No. 13.
- Amending the constitution, allowing an increase of salary for the state auditor, Senate Joint Resolution No. 12.
- Amending the constitution allowing an increase in salary of the secretary of state, Senate Joint Resolution No. 16.
- Amending the constitution allowing an increase in salary of the state treasurer, Senate Joint Resolution No. 14.
- Amending the constitution by initiative petition, Senate Bill No. 50.
- Amending the constitution permitting the legislature to increase the salary of the attorney general, Senate Joint Resolution No. 15.
- Amending section 1, article VII of the constitution relating to taxation, Senate Joint Resolution No. 17.
- Classifying all the wealth of the state for taxation upon the different classified properties, Senate Bill No. 74.
- Constitutional convention called to make revision by consent of electors, Senate Joint Resolution No. 3.
- Empowering the legislature to supervise and control the valuing of property for local taxation, Senate Joint Resolution No. 2.
- Empowering the state to enact a graduated net income tax law, Senate Joint Resolution No. 1.
- Making appropriation for the printing and distribution of arguments for and against proposed—submitted by the 24th regular session of the legislature, Senate Bill No. 342.
- Providing compensation for the members of the legislature, amending section 23, article 2, of the state constitution, Senate Bill No. 82.
- Relating to taxation, amending section 1, article VII of the constitution, Senate Joint Resolution No. 17.
- Relating to taxation, submitting to the voters a, amending section 1, article VII of the state constitution, Senate Joint Resolution No. 7.
- Submitting a, defining time for convening of regular and special sessions of the legislature, Senate Bill No. 163.
- To be decided by electors in 1936 general elections, Senate Joint Resolution No. 3.

**Contempt:**

Relating to constructive contempt and granting the accused the right of trial by jury and change of judge, Senate Bill No. 306.

**Contracts:**

Enabling counties, cities and towns to perform contracts with Federal agencies in public works, Senate Bill No. 299.

Prescribing jurisdiction over awarding all contracts in excess of \$5,000.00, Senate Bill No. 58.

Regulation of, for public improvements, Senate Bill No. 59.

**Contracts and Award:**

Creating a board of, Senate Bill No. 58.

**Contract Haulers:**

Regulating and licensing motor vehicles by, Senate Bill No. 35.

**Contractors:**

Requiring a contractor's bond for faithful performance on public works, Senate Bill No. 52.

**Conventions:**

Providing for holding party conventions, Senate Bill No. 31.

**Corey, W. L.:**

Refund of shopkeeper's license, \$24.00, Substitute Senate Bill No. 305.

**Coroners:**

Relating to furnishing to state department of health, vital statistics pertaining to death, and reports of, Senate Bill No. 115.

**Corporations:**

Extending the provisions of the Uniform Business Corporation Act relative to consolidations, Senate Bill No. 356.

Giving flood control district all the usual powers of a corporation for public purposes, Senate Bill No. 116.

**County Assessor:**

Authorizing county assessor to receive from flood control districts, properly designated base assessment maps to be spread on the property rolls, by the, Senate Bill No. 113.

Pertaining to assessment of taxable property of railroad and telegraph companies, Senate Bill No. 103.

**County Auditors:**

Designating county auditor to issue all warrants, to file certified copies of flood control districts, free of charge, Senate Bill No. 113.

Placing as a member of county election boards, the, Senate Bill No. 101.

Relating to fees to be charged by, Senate Bill No. 22.

Relating to preparing voting machines, and employing custodians of voting machines, Senate Bill No. 99.

Requiring county auditors to register all marriage license applicants for department of health, Senate Bill No. 115.

**County Boards of Health:**

Manner of selecting, defining its powers and duties and providing for appointment of county health officers, Senate Bill No. 176.

Transferring powers of cities of the fourth class and towns of less population to, the, Senate Bill No. 177.

**County Clerks:**

Requiring county clerks to furnish, upon request of department of health information relative to divorces, adoption and annulments in their files and records, Senate Bill No. 115.

**County Commissioners:**

Authorizing a pension relief for the blind, by the, Senate Bill No. 130.

Authorizing county commissioners of counties of the first class to employ a purchasing agent, Senate Bill No. 327.

**County Commissioners—Continued:**

- Defining duties of the boards of county commissioners in reference to primary and general election ballots, Senate Bill No. 136.
- Defining powers and duties of boards of county commissioners in relation to county boards of health, Senate Bill No. 116.
- Permitting the board of, to lease and improve county owned land acquired for taxes, Senate Bill No. 269.
- Placing on the "county election boards" the chairman of the board of, Senate Bill No. 101.
- Providing for compensation of probation officers by the board of, Senate Bill No. 81.
- Providing for re-districting periodically, Senate Bill No. 41.
- Relating to petition for annexing territory to a nearby county to which said area is contiguous, Senate Bill No. 343.
- Requiring boards of, to file flood control landowner's petition for records in its office, Senate Bill No. 113.

**County Engineer:**

- Abolishing the office of, in all counties except Class A counties, Senate Bill No. 357.

**County Finance Committee:**

- Providing for the investment of available funds of Class A counties, counties of the first class, their school districts and their port districts by the, Senate Bill No. 344.

**County Government:**

- Pertaining to course of study in functions of, Senate Bill No. 83.

**County Health Officer:**

- Defining powers and duties of, Senate Bill No. 116.
- Providing for the appointment of, Senate Bill No. 176.

**County Officers:**

- Relating to closing of county offices on Saturdays at 12 o'clock, Senate Bill No. 124.
- Requiring contractor's bond on public work, Senate Bill No. 52.
- Setting time for election of, Senate Bill No. 123.

**County Officials:**

- Pertaining to the authority of, upon state roads by force account or day labor, Senate Bill No. 348.
- Providing for election of, Senate Bill No. 31.

**County Permanent Highway Maintenance Fund:**

- Abolishing the, Senate Bill No. 348.

**County Registration Officers:**

- Defining part of duties of, Senate Bill No. 49.

**Counties:**

- Acquiring and extending water works system in county, beyond city limits, Senate Bill No. 134.
- Authorizing counties to license marble games and games of skill, Senate Bill No. 279.
- Defining the personnel of school district, election boards, in all counties other than class A or first class, Senate Bill No. 101.
- Establishing a civil service commission—for all its employees, Senate Bill No. 322.
- Permitting the board of county commissioners to lease and improve county owned land acquired for taxes, Senate Bill No. 269.
- Pertaining to participation in liquor funds, for old age pensions in, Senate Bill No. 93.
- Providing for annexing county territory to a nearby county to which it is contiguous, and providing manner of doing same, Senate Bill No. 343.
- Providing for appointment of county health officers, Senate Bill No. 176.

**Counties—Continued:**

- Providing for a distribution of part of the motor vehicle fund to counties for use on secondary and primary highways, Senate Bill No. 340.
- Regulations of county boards of health by the state board of health, Senate Bill No. 175.
- Relating to distribution of profits on liquor to, Senate Bill No. 353.
- Relating to division of counties into commissioners' districts, Senate Bill No. 41.
- Relating to flood control, providing for the improvement of rivers, by, Senate Bill No. 362.
- Relating to time for holding school district election of the 2nd and 3rd class in counties other than class A and first class, Senate Bill No. 102.
- Relating to the apportionment of the state current school fund to the, of the state, Senate Bill No. 359.
- Relating to the sale of real property acquired for taxes by, Senate Bill No. 51.
- Requiring a license tax on dogs outside of limits of cities and towns, in the, Senate Bill No. 34.
- Sanitary supervision, by state department of health, of tourist camps operated by, Senate Bill No. 114.
- Regulation and supervision of storage warehouses and warehousemen, by department of public works, where population in county is over fifty thousand, Senate Bill No. 207.
- Simplifying financing of public works and enabling counties to perform contracts with Federal agencies in relation thereto, Senate Bill No. 299.

**Counties (class "A"):**

- Abolishing office of county engineer in all counties except class A, Senate Bill No. 357.
- Prohibiting deputy prosecuting attorneys from accepting compensation other than their salary, Senate Bill No. 221.
- Relating to, creation of a fund for the payment of salaries and wages of county officers and employees in, Senate Bill No. 19.
- Providing for the investment of available county funds by the county finance committee, Senate Bill No. 344.

**Counties of First Class:**

- Authorizing county commissioner in—to employ a purchasing agent, Senate Bill No. 327.
- Prohibiting deputy prosecuting attorneys in, from accepting compensation other than their salary, Senate Bill No. 221.
- Providing for the investment of available county funds of—by the county finance committee, in, Senate Bill No. 344.
- Relating to creation of a fund for the payment of salaries and wages of county officers and employees in, Senate Bill No. 19.

**Counties of Second Class:**

- Prohibiting deputy prosecuting attorneys in, from accepting compensation other than their salary, Senate Bill No. 221.

**County Sanatoriums:**

- Authorizing establishments, maintenance and operation of joint, Senate Bill No. 137.

**County Treasurer:**

- Designating county treasurer as ex-officio district treasurer in flood control districts, Senate Bill No. 113.
- Duties of, in regard to transfer of money of domestic animal protection fund and wild animal fund to current expense fund, Senate Bill No. 311.

**Courts:**

- Appointment of police judges in cities of the first class, Senate Bill No. 233.
- Granting jurisdiction of the courts for enforcement of the National Agricultural Adjustment Act, Senate Bill No. 155.
- Providing for court reviews of benefit claims under unemployment compensation fund, Senate Bill No. 350.
- Relating to the opinion evidence of expert witnesses in the, Senate Bill No. 169.

**Cowlitz County:**

Diking Districts Nos. 5, 11 and 15, \$9,474.24, Substitute Senate Bill No. 305.

**Crimes:**

Defining the violation of maximum interest law a crime, of usury, Senate Bill No. 119.

Persons convicted of certain crimes, excluding murder, robbery, rape, etc., may not have more than the last one-half of sentences suspended, Senate Bill No. 23.

Repealing law of Sabbath breaking, Senate Bill No. 25.

Relating to abortion, Senate Bill No. 32.

Relating to carrying firearms and other weapons, Senate Bill No. 147.

Relating to parole and sentencing of persons, convicted of, Senate Bill No. 94.

Relating to violation of Narcotics Act, Senate Bill No. 148.

**Criminal Persons:**

Relating to a person convicted of any crime except murder, burglary, or arson, in first degree, robbery, carnal knowledge of a female child under ten years, or rape, Senate Bill No. 23.

**Cugini, Alex:**

Alex Cugini vs. The State of Washington, No. 15726, \$722.93, Substitute Senate Bill No. 305.

**Current Funds:**

Investment of, of the State of Washington by the state finance committee into various national, state and local bonds, Senate Bill No. 253.

**Current State School Suspense Fund:**

Abolishing of the, Senate Bill No. 202.

**Damages:**

Defining damages, by high water or floods, Senate Bill No. 90.

**Deaths:**

Requiring physicians, midwives, undertakers, sextons, hospitals, etc., to furnish to the department of health vital statistics relative to, Senate Bill No. 115.

**December Fifteenth:**

Directing the efficiency director to mail copy of preliminary appropriation budget to members of the legislature, prior to, Senate Bill No. 121.

**Deeds:**

Relating to property acquired for nonpayment for assessments of land in irrigation districts, Senate Bill No. 98.

**Defense:**

Memorializing Congress for funds for air bases on the North Pacific coast, Senate Joint Memorial No. 23.

**Delinquent Assessments:**

Local improvement bonds may be used in payment of, and/or in redemption of property sold for, Senate Bill No. 296.

**Delinquent Charges:**

Relating to liens, for, on water and electric energy furnished by cities, Senate Bill No. 293, also Senate Bill No. 304.

**Delinquent Taxes:**

Permitting the board of county commissioners to lease and improve county owned land acquired for taxes, Senate Bill No. 269.

**Department:**

See also those prefixed by state.

**Department of Agriculture:**

To carry out the provisions of House Concurrent Resolution No. 10, \$800.00, Substitute Senate Bill No. 305.

**Department of Business Control:**

- Authorizing, to lease or purchase land around Monroe for the growing of shrubbery for state use, Senate Bill No. 307.
- Division of child welfare; deficiency, salaries, wages and operations (emergency approved April 11, 1934), \$1,500.00, Substitute Senate Bill No. 305.
- Washington state penitentiary; deficiency, power house and reinstall boilers (to reimburse general fund account emergency approved January 2, 1934), \$8,200.00, Substitute Senate Bill No. 305.

**Department of Conservation and Development:**

- Abolishing the, Senate Bill No. 107.
- (From reclamation revolving fund) case of Washington vs. The State of Oregon, for the adjudication of the rights of the State of Washington and its citizens to the waters of the Walla Walla river for irrigation and other purposes, now pending in the supreme court of the United States, \$12,500.00, Substitute Senate Bill No. 305.

**Department of Efficiency:**

- Abolishing the, Senate Bill No. 107.
- Division of savings and loan; deficiency, operations (emergency approved September 27, 1934), \$3,000.00, Substitute Senate Bill No. 305.

**Department of Finance, Budget and Business:**

- To carry out the provisions of Senate Bill No. 14, \$25,000.00, Substitute Senate Bill No. 305.
- To create a revolving fund for the purchase and distribution of supplies, in accordance with section 38, chapter 7, Laws of 1921, payment for such supplies, including handling charges, to be made to the director of finance, budget and business for credit to the revolving fund herein created, \$10,000.00, Substitute Senate Bill No. 305.
- To drill a well, and for tank and equipment for use of the state school for the blind and the state school for the deaf at Vancouver, Washington, \$14,500.00, Substitute Senate Bill No. 305.

**Department of Fisheries:**

- Abolishing the, Senate Bill No. 107.
- Appropriation for the state treasurer, \$7,180.10, Substitute Senate Bill No. 305.
- Deficiency, bounties on seals, \$3,825.00, Substitute Senate Bill No. 305.
- Deficiency, operations (to reimburse general fund account emergency approved November 26, 1934), \$2,000.00, Substitute Senate Bill No. 305.
- Fisheries fund: appropriation for the department of fisheries, \$2,000.00, Substitute Senate Bill No. 305.
- Making appropriation of \$20,000.00 for fish hatchery in Grays Harbor county, Senate Bill No. 170.

**Department of Game:**

- Providing for the stamping and marking of deer, elk, and bear during closed seasons, by, Senate Bill No. 295.
- Taking over the duties of the department of fisheries, Senate Bill No. 107.

**Department of Health:**

- Collect, compile and certify, vital statistics, Senate Bill No. 115.
- Deficiency, operations (emergency approved October 29, 1934), \$2,500.00, Substitute Senate Bill No. 305.
- Supervising the sanitary conditions of all tourist camps, Senate Bill No. 114.

**Department of Labor and Industries:**

- Abolishing the, Senate Bill No. 107.
- Deficiency, salaries, wages and operations (to reimburse general fund account emergency approved July 26, 1934), \$97,500.00, Substitute Senate Bill No. 305.

**Department of Licenses:**

- Abolishing the, Senate Bill No. 107.
- Deficiency, salaries and wages (to reimburse general fund account emergency approved January 11, 1934), \$9,465.57, Substitute Senate Bill No. 305.

**Department of Licenses—Continued:**

- May adjust unfair rates of common carriers, Senate Bill No. 235.
- Regulating and licensing the practice of naturopathy, Senate Bill No. 331.
- Salaries and wages, operations (for real estate director), \$8,000.00, Substitute Senate Bill No. 305.
- To carry out the provisions of Substitute Senate Bill No. 70 (expenditures not to exceed fees collected), \$25,000.00, Substitute Senate Bill No. 305.

**Department of Public Lands:**

- Relating to rate of interest to be paid by state depositaries upon moneys deposited by the commissioner, Senate Bill No. 149.

**Department of Public Service:**

- Changing name of department of public works to, the name of, Senate Bill No. 33.
- Functions of, exercised by commission of three appointed by the governor, Senate Bill No. 318.

**Department of Public Works:**

- Abolishing the, Senate Bill No. 107.
- Changing name to department of public service, Senate Bill No. 33.
- Instructing said department to make a detailed survey and appraisalment, Senate Bill No. 84.
- Regulation and supervision of storage warehouses and warehousemen, by, in counties over fifty thousand population, Senate Bill No. 207.
- Regulation of steamboat companies by the, Senate Bill No. 153.
- Relating to investigation of..... 96, 547
- Relating to rates fixed by the, for the port districts, Senate Bill No. 244.
- Relating to regulation of rates for charges and practices of municipal corporations engaged in business as public service companies, Senate Bill No. 243.

**Depositors:**

- Providing for separate accounts for savings deposits in bank and trust companies and the repayment thereof, Substitute Senate Bill No. 86.
- Providing for, separate savings accounts by, depositors and the repayment thereof, to the, Senate Bill No. 86.

**Diebert, Ben:**

- Permanent disability caused by accident, December 14, 1931, \$6,000.00, Substitute Senate Bill No. 305.

**Diesel Oil:**

- Levyng an excise tax on, Senate Bill No. 240.

**Diking and Drainage Districts:**

- Authorizing property to be withdrawn, Senate Bill No. 158.
- Authorizing issuance and sales of bonds for, Senate Bill No. 160.
- For relief of dike district No. 5, \$7,974.15, Senate Bill No. 258.
- Granting commissioners, of, additional powers for betterment of systems in, Senate Bill No. 159.
- Relating to disposal of sewage by, Senate Bill No. 24.

**Director (see also those prefixed by State).****Director of Agriculture:**

- Defining powers and duties of; in relation to fraud and misrepresentation of the sale of motor fuels, Senate Bill No. 150.
- Duties in connection with state sanitary code on foods for human consumption, Senate Bill No. 313.
- Empowering director to regulate and prohibit of sale of, seeds, with more than five per cent weed seed mixture, Senate Bill No. 118.
- Empowering the, to adopt marketing agreements, Senate Bill No. 155.
- Ex-officio member of Washington state development commission, Senate Bill No. 117.

**Director of Business Control:**

- Authorizing state highway department to make contract with the, for motor vehicle, warehouse or garage facilities, Senate Bill No. 178.

**Director of Conservation and Development:**

- Defining powers and duties of the, in the reclamation of lands or of commercial waterways, Senate Bill No. 238.
- Designating him, as ex-officio chairman of flood control commission, Senate Bill No. 113.
- Duties and administration of, in relation to mines and mining, Senate Bill No. 267.
- Ex-officio member of the Washington development commission, Senate Bill No. 117.
- Inspection duties in regard to livestock grazing on prohibited state lands acting as watersheds, Senate Bill No. 302.
- Prohibiting waste of natural gas and petroleum and specifying duties of, Senate Bill No. 268.

**Director of Efficiency:**

- Transferring certain duties of, relating to examination of public offices to the state auditor, Senate Bill No. 315.

**Director of Highways:**

- Directed to make report on most feasible route for vehicular tunnel through the Cascades, Senate Bill No. 63.
- Directing him to report on site for Cascade tunnel, Senate Bill No. 63.
- Duties in connection with safety of railroad highway crossings, Senate Bill No. 314.
- Establishing the office of, the, and providing for the election of, a, Senate Bill No. 107.

**Director of Labor and Industries:**

- Relating to hours, wages and conditions of labor for household workers, Senate Bill No. 208.

**Director of Licenses:**

- Defining duties and powers transferred to commissioner of securities, Senate Bill No. 70.
- Relating to bond and cancellation of bond of "common carrier for hire," Senate Bill No. 128.
- Relating to fees for license of motor vehicles and dealers' license plates, Senate Bill No. 106.
- Permitting licensed professional and vocational groups to form associations for the purpose of regulating their callings and taking over the powers now granted the, Senate Bill No. 290.

**Director of Public Works:**

- Supervising "contract haulers" and "for hire carriers," Senate Bill No. 35.

**Disbursements:**

- Relating to education and providing for school revenues and disbursements, Senate Bill No. 365.

**Disease:**

- Relating to contagious or infectious, Senate Bill No. 116.
- Relating to establishment of hospital for veterans affected with Buegers disease, Senate Joint Memorial No. 8.

**Distillers:**

- Pertaining to the manufacture and sale of hard liquor, Senate Bill No. 87.

**District Officers:**

- Requiring contractor's bond on public work, Senate Bill No. 52.

**Dividends:**

- Relating to, by savings and loan associations, Senate Bill No. 247.

**Division of the State:**

- Dividing the state into Eastern and Western Washington, Senate Joint Resolution No. 23.

**Divorces:**

- Pertaining to vital statistics of, Senate Bill No. 115.

**Dodder:**

Prohibiting the sale of same, for seeding purposes, Senate Bill No. 118.

**Dogs:**

Requiring the assessing a license tax for, Senate Bill No. 34.

**Domestic Animal Protection Fund:**

Transferring money in, to the current expense fund of county, Senate Bill No. 311.

**Drug Addicts:**

Providing institution for confinement, cure, care and rehabilitation of, Senate Bill No. 14.

**Drugs (see Medicine).****Drug Stores:**

Relating to the sale of food and drinks in, Senate Bill No. 211.

**Dudley, A. S.:**

Appropriation for witness fees in restraining suit C., M., St. P. & P. Ry. vs. various counties a/c taxes for years 1926 and 1927, Substitute Senate Bill No. 305.

**Duryee, Dr. A. P.:**

Fee for operation on Private Wm. C. Smith in 161st infantry, \$100.00, Substitute Senate Bill No. 305.

**Eastern State Hospital:**

An emergency appropriation of \$45,000.00 for the, Senate Bill No. 111.

**Education:**

Providing educational opportunities for children of veterans of the world war, who died or were killed in action during service, Senate Bill No. 246.

Providing for school revenues and disbursements, Senate Bill No. 365.

Providing for the care of feeble-minded children; and the establishment of an institution, Senate Bill No. 317.

Providing for the consolidation of school districts, Senate Bill No. 281.

Providing for the creation of a state school equalization fund and making provisions for administration, Senate Bill No. 309.

Providing for the disestablishment of the state normal school at Centralia, Senate Bill No. 239.

Relating to course of study at schools of higher, Senate Bill No. 83.

Relating to national parks, Senate Joint Memorial No. 6.

**Educational Institutions:**

Providing for the investment of the permanent funds of all, Senate Bill No. 151.

**Elkenbary, Dr. C. F.:**

Witness fees, December 16, 1932, \$50.00, Substitute Senate Bill No. 305.

**Ellerman, Elizabeth:**

Estate of (Herman E. Brown vs. The State of Washington, No. 130482), \$45.00, Substitute Senate Bill No. 305.

**Election Board:**

Chairman of board of county commissioners, county auditor and prosecuting attorney of each county shall constitute the, Senate Bill No. 206.

Defining what shall constitute the, and reports the precinct committeemen of each party shall make relative to it, Senate Bill No. 206.

Requiring precinct election officers to prepare copies of the result of votes cast at their precincts for transmittal to the county, Senate Bill No. 324.

**Elections:**

Defining what shall constitute the election board, and the precinct committeemen's reports relative to the election board, Senate Bill No. 206.

Empowering the state director of conservation and development to call and supervise, elections in flood control districts, Senate Bill No. 113.

**Elections—Continued:**

- Fixing date of primary, Senate Bill No. 31.
- Providing for assistance, to blind voters, in marking their ballot at, Senate Bill No. 110.
- Providing for election by voters of certain areas, providing for annexing county territory to a nearby county to which it is contiguous, Senate Bill No. 343.
- Providing for expressions of principles of candidates upon primary and general election ballots, Senate Bill No. 136.
- Providing for judicial and educational ballot, Senate Bill No. 44.
- Relating to, and providing for precinct election officers, Senate Bill No. 101.
- Relating to election of precinct committeemen and committeewomen, Senate Bill No. 222.
- Relating to publications of initiative or referendum measures, Senate Bill No. 62.
- Relating to initiative and referendum and the registration and certification of same and amending present law, Senate Bill No. 294.
- Relating to, Senate Bill No. 10.
- Relating to time for filling vacancy by elections of judges of supreme and superior courts, Senate Bill No. 127.
- Relating to voting machines used in primary and general, Senate Bill No. 99.
- Relating to the activities of associations, corporations and organizations, with reference to sponsoring or opposing any political candidate, initiative or referendum measure, Senate Bill No. 15.
- Requiring election officers to prepare copies of the result of votes cast at their precincts, Senate Bill No. 324.
- Setting time for holding elections of state, county, city, town, park, port and all other municipal officers, Senate Bill No. 123.
- Stating time and date of holding school district elections in districts of second and third class, in all counties other than class A and first class counties, Senate Bill No. 102.
- Submission of initiative No. 2, Senate Joint Resolution No. 9.
- Submitting a constitutional amendment at the 1936, relative to time for convening the legislature of the state of Washington, Senate Bill No. 163.
- To be submitted in the next general election, allowing a daily five dollar expense compensation for legislators, Senate Joint Resolution No. 20.

**Electors (Presidential):**

- Relating to method of electing same, Senate Bill No. 10.

**Electric Power:**

- Creating the state rural electrification authority, making electric energy available at the lowest cost possible, Senate Bill No. 300.
- Relating to liens for delinquent charges for water and electric energy furnished by cities, Senate Bill No. 293, also Senate Bill No. 304.

**Electric Wiring:**

- Relating to codes by cities, Senate Bill No. 4.

**Embalmers:**

- Regulating the licensing of, Senate Bill No. 335.
- Relating to, Senate Bill No. 29.

**Eminent Domain:**

- Granting power of, in diking and drainage districts, Senate Bill No. 159.
- The power of eminent domain is given to flood control districts, Senate Bill No. 113.

**Employees:**

- Authorizing pensions for employees of mutual savings banks, Senate Bill No. 54.
- Care of injured workmen, Senate Bill No. 79.
- May bring action to recover wages due when he is paid under minimum of fair competition agreements and codes, Senate Bill No. 257.
- Promoting safety of railroad, Senate Bill No. 80.
- Relating to minimum wages of state, county and city, Senate Bill No. 228.
- Relating to purchase of old age annuities of employees, of the state schools of higher education, Senate Bill No. 277.

**Employment:**

Employer must pay employee amount due when paying under minimum of fair competition agreements, Senate Bill No. 257.  
Relating to employment of American citizens by American shipping companies, Senate Joint Memorial No. 14.

**Engineering School:**

Making an appropriation for a laboratory for the, of the University of Washington, Senate Bill No. 284.

**Equipment:**

Providing for the licensing of gas dispensing, Senate Bill No. 150.

**Erickson, Charles E.:**

Estate of; overpayment of the care and keep of Charles E. Erickson, a mentally incompetent person, confined at the Western State Hospital, said overpayment being for the month of July, 1932, \$8.36, Substitute Senate Bill No. 305.

**Escrow Agreement:**

Defining same under Securities Act, Senate Bill No. 70.

**Evergreen Highway:**

Establishing a primary state highway known as, Senate Bill No. 64.

**Everett Trust & Savings Bank:**

Everett Trust & Savings Bank vs. The State of Washington, No. 25007, \$98.80, Substitute Senate Bill No. 305.  
To discharge the judgment rendered in favor of, \$98.80, Senate Bill No. 205.

**Evidence:**

Relating to opinion evidence by expert witnesses, Senate Bill No. 169.

**Examiners:**

Creating the Washington state board of sanipractic, Senate Bill No. 129.

**Excise Tax:**

Levying an excise tax on the production, refining, compounding, manufacture, sale and use and distribution of certain, petroleum products including gasoline, fuel oil and diesel oil, Senate Bill No. 240.

**Exemptions:**

Allowing deduction in the assessment of homes, exempting homes from levy, distraint or seizure, Senate Bill No. 303.  
For religious, scientific, educational, benevolent not conducted for pecuniary profit; also food stores and restaurants, Senate Bill No. 325.  
From taxation household goods and other personal property, Senate Bill No. 227.  
On personal property up to the amount of five hundred dollars from attachment and execution, Senate Bill No. 120.  
Of public officers from garnishment, Senate Bill No. 78.  
Providing for exemption of home, farms and personal property, Senate Bill No. 140.  
Relating to homestead, Senate Bill No. 126.  
Relating to taxation, exempting buildings and improvements, Senate Bill No. 354.  
Relating to the exemptions of certain societies from the laws relating to fraternal insurance, Senate Bill No. 338.

**Exempt Securities:**

Defining, what are, Senate Bill No. 70.

**Expenses:**

Of flood control commission charged to state department of conservation and development, Senate Bill No. 113.

**Faculties:**

Relating to old age annuities for the, of the state schools of higher education, Senate Bill No. 277.

**Fair Competition:**

To encourage state and national industrial recovery by cooperating with the national government in fostering, Senate Bill No. 257.

**Family:**

Defining head of, family, in re homesteads, Senate Bill No. 126.

**Fanweed:**

Prohibiting the sale of same, for seeding purposes, Senate Bill No. 118.

**Farmers:**

Authorizing the disposal of his products, in cities and counties without a license, Senate Bill No. 286.

Memorializing congress for relief from agricultural indebtedness of, Senate Joint Memorial No. 16.

**Feeble-minded:**

Providing for the care of, children; and the establishment of an institution, Senate Bill No. 317.

**Federal Aid Funds:**

State treasurer to be custodian of, and providing for advancements on anticipated reimbursements, Senate Bill No. 57.

**Federal Co-operative Agricultural Extension Fund:**

Relating to the establishment of fund in the state treasury to be known as the, Senate Bill No. 191.

**Federal Experiment Station Fund:**

Establishing a fund in state treasury to be known as the, Senate Bill No. 189.

**Federal Housing Administration Insurance Corporation:**

Enabling saving and loan associations to correlate with the, Senate Bill No. 76.

**Federal Vocational Rehabilitation Fund:**

Abolishing of the, Senate Bill No. 201.

**Fees:**

Fixing fees for auto stages, trucks or trailers, based on carrying capacity, and dealers license plates, Senate Bill No. 106.

Fixing fees for expert witnesses, Senate Bill No. 169.

Fixing fees for publication of legal notices, Senate Bill No. 21.

For filing of writ: in proceeding for the recovery of possession of real property wrongfully detained, Senate Bill No. 217.

For license to carry firearms, Senate Bill No. 147.

For licenses for digging clams, Senate Bill No. 144.

For licenses to all meat shops and slaughter houses, Senate Bill No. 164.

For licenses to practice physio medicine and surgery, Senate Bill No. 145.

For marriage medical certificates examination, not to exceed \$5.00, Senate Bill No. 234.

For transportation by motor vehicles of freight regulating and taxing thereof, Senate Bill No. 218.

Pertaining to liquor license, Senate Bill No. 87.

Prescribing proper charges for searching records and certifying same, in department of health, Senate Bill No. 115.

Providing for fees for auto stages, motor trucks and trailers and providing for the painting and stenciling of the weight thereof upon said motor vehicles, Senate Bill No. 334.

Providing the fees collected shall be paid into the salary fund of the municipal corporation collecting same, Senate Bill No. 279.

Regulating charges for escheat estates and license fees of licensed embalmers and funeral directors, Senate Bill No. 335.

Regulating fees for burial charges, Senate Bill No. 29.

Relating to attorney's fees in suits or actions brought upon any policy of insurance, Senate Bill No. 349.

Relating to fees to be charged by county auditors, Senate Bill No. 22.

Relating to fees to be paid in transportation by motor vehicles, Senate Bill No. 35.

**Fees—Continued:**

- Relating to special tuition fees, in professional schools in the university of Washington, Senate Bill No. 276.
- Relating to student fees at the state college, Senate Bill No. 92.
- Required by operators of all tourist camps, for "certificate of sanitation," Senate Bill No. 114.
- Tuition fees of Washington state college to be deposited into the state college of Washington building fund, Substitute Senate Bill No. 92.

**Filing:**

- Of legal papers in connection with fees to be charged by the county auditors, Senate Bill No. 22.

**Finance Committee:**

- Empowering the state, to invest money in general obligation bonds of 1933 retirement fund, in U. S. government certificates, Senate Bill No. 152.
- Investment of current funds of the state of Washington by, into various national, state and local bonds, Senate Bill No. 253.

**Finances:**

- Authorizing cities of the first class of not less than 300,000 inhabitants owning or acquiring municipal transit systems, to provide an alternative method for the operation and financing of same, Senate Bill No. 339.

**Fines:**

- Fixing fine and penalties in cases of violation of Vital Statistics Act, Senate Bill No. 115.
- Penalties for driving under influence of intoxicating liquor, or of any narcotic drug, Senate Bill No. 48.
- Providing for fines for violation of Public Health Act, Senate Bill No. 116.

**Firearms:**

- Regulating the sale and possession of, and to make the law uniform, Senate Bill No. 273.
- Relating to short, and other weapons, Senate Bill No. 147.

**Fire Equipment:**

- Relating to water and water power districts in connection with purchase of fire hose and fire fighting equipment, Senate Bill No. 310.

**Fire Insurance:**

- Prescribing the standard form of policies of fire insurance companies, Senate Bill No. 275.

**Firemen's Relief and Pensions:**

- Providing for, Senate Bill No. 77.

**Firestone Tire & Rubber Company:**

- Material furnished highway department March 24, 1933, \$73.49, Substitute Senate Bill No. 305.

**Fishing:**

- Concurrent jurisdiction over, in Snake river by Idaho and Washington for enforcement of fish and game laws, Senate Bill No. 256.
- Prohibiting the shipping of steelhead trout from November to May of each year, Senate Joint Resolution No. 13.
- Relating to game fishing. Licensees may fish in all open waters during the open season, Senate Bill No. 233.
- Relating to the rights of Indians, fishing on reservations, Senate Bill No. 285.

**Flax:**

- Development of that industry in this state, Senate Joint Resolution No. 19.

**Flood Control:**

- Memorializing congress, pertaining to, Senate Joint Memorial No. 10.
- Placing Flood Control Act, under state supervisor of hydraulics, Senate Bill No. 90.
- Creating, operating and maintaining flood control districts, Senate Bill No. 113.

**Flood Control—Continued:**

- Creating the office of state supervisor, in flood control districts, Senate Bill No. 113.
- Relating to, providing a state policy of participation therein with the U. S. government and with flood control districts and counties, Senate Bill No. 364.
- Providing for a state policy therefor in co-operation with the U. S. government and flood control districts, Senate Bill No. 362.
- Providing for improvement of rivers by counties, Senate Bill No. 362.

**Flood Control Districts:**

- Empowering the state director to appoint three directors, Senate Bill No. 113.

**Foods:**

- Providing for the purchase, sale, transportation, processing and distribution of milk by the state and declaring the distribution of milk to be a public utility, Senate Bill No. 230.
- Relating to the production, manufacturing, processing, distribution, sale, handling and serving of food for human consumption, Senate Bill No. 313.
- Relating to the sale of food and drinks in drug stores, Senate Bill No. 211.

**Food Stores:**

- Relating to exemptions for, under volume of business system of taxation, Senate Bill No. 325.

**Ford, Fred J.:**

- Refund of undelivered bank dividend, checks escheated to the state, \$15.62, Substitute Senate Bill No. 305.

**Foreclosure:**

- For the benefit of material men, laborers, and others in connection with public improvements, Senate Bill No. 59.
- Granting relief from inequitable foreclosure of mortgages on real property, Senate Bill No. 236.
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- Relating to real estate mortgages, Senate Bill No. 11.

**Forest Industries:**

- Memorializing congress of the United States consideration of statement of facts pertaining to, Senate Joint Memorial No. 5.
- Relating to forest products industries and labor of the state of Washington, Senate Joint Memorial No. 5.

**"For Hire Carrier":**

- By motor vehicles—providing for supervision, regulating and taxation thereof, Senate Bill No. 218.
- Regulating and licensing motor vehicle by, Senate Bill No. 35.

**Fox & Company, Inc., and Frank Fox et al.:**

- Judgment (Fox & Company, and Frank Fox et al., vs. The State of Washington, No. 13187), \$52.70, Substitute Senate Bill No. 305.

**Frank, John:**

- In lieu of accident fund warrant No. 571905, issued June 15, 1928, to Mak Surina and endorsed to John Frank, cancelled by statute of limitations, \$19.90, Substitute Senate Bill No. 305.

**Fraternal Insurance Companies:**

- Relating to exemption of certain societies from the laws relating to fraternal insurance, Senate Bill No. 338.

**Frederick & Nelson:**

- Supplies furnished state school for blind, July 9, 1932, \$10.15, Substitute Senate Bill No. 305.

**Freight:**

- Relating to freight transportation and fixing fees, rates and license for auto freight, Senate Bill No. 218.

**Fuel Oil:**

- Levying an excise tax on, Senate Bill No. 240.

**Fuller & Company, W. P.:**

Materials furnished girls school at Grand Mound, March 1, 1933, \$13.50, Substitute Senate Bill No. 305.

**Funds:**

- Abolishing highway safety fund, Senate Bill No. 186.
- Abolishing the Adams, Hatch and Purnell Funds, Senate Bill No. 189.
- Abolishing the agricultural college current fund, Senate Bill No. 200.
- Abolishing the A. Y. P. exposition fund and transferring monies in same to the general fund, Senate Bill No. 198.
- Abolishing the Smith-Lever and Capper-Ketcham funds, Senate Bill No. 191.
- Creating a naturopathic fund in relation to the practice of naturopathy, Senate Bill No. 331.
- Creating fund by assessment and levy in diking and drainage districts, Senate Bill No. 160.
- Creating the secondary highway fund, Senate Bill No. 348.
- Establishing a fund in the state treasury to be known as the federal experiment station fund, Senate Bill No. 189.
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- Establishing the Washington state college current fund, Senate Bill No. 200.
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- Investment of funds of the accident fund and the reserve fund created by the Workmen's Compensation Act, Senate Bill No. 252.
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- Pertaining to the abolishment of the shoreland improvement guaranteed interest fund, Senate Bill No. 190.
- Pertaining to the transfer of monies of the scientific school current fund to general fund, Senate Bill No. 195.
- Pertaining to transfer of old age pension funds to the general fund, Senate Bill No. 199.
- Providing for the creation of a state school equalization fund and making provisions for administration, Senate Bill No. 309.
- Providing funds for pensioning blind persons, Senate Bill No. 242.
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- Safeguarding the disbursements of funds of any public construction project or for other public purposes, Senate Bill No. 219.
- Transferring funds in the lateral highway fund to the motor vehicle fund, Senate Bill No. 192.
- Transferring money in the domestic animal protection fund and wild animal fund to the current expense fund of county, Senate Bill No. 311.
- Transferring monies in penitentiary revolving fund to general fund, Senate Bill No. 196.
- Transferring shoreland improvement fund to general fund, Senate Bill No. 193.

**Funds—Continued:**

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- Transferring the A. Y. P. exposition guaranteed interest fund to the general fund, Senate Bill No. 194.
- Tuition fees of Washington state college to be deposited into the state college of Washington building fund, Senate Bill No. 92, Substitute Senate Bill No. 92.

**Funerals:**

- Authorizing the payment of certain amounts for funeral expense for the blind, Senate Bill No. 130.

**Funeral Directors:**

- Licensing, regulating conduct in relation thereto, Senate Bill No. 335.
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**Game and Game Fish:**

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- Relating to game fishing, providing for licensing of same in all open waters during the open season, Senate Bill No. 283.
- Providing for the stamping and marking of deer, elk, and bear during closed seasons, Senate Bill No. 295.

**Game Commissioners:**

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**Game Commissions (County):**

- Relating to payment of unpaid obligations from state game fund, Senate Bill No. 9.

**Games of Skill:**

- Authorizing cities and counties to license games of skill and marble games, Senate Bill No. 279.

**Garages:**

- Providing for leasing or construction of state owned, Senate Bill No. 178.

**Gardeners:**

- Authorizing the disposal of his products without a license, Senate Bill No. 286.

**Garnishments:**

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- Relating to exemption for elective public officers, Senate Bill No. 78.
- Relating to garnishments against, counties, cities, towns, school districts, and other municipal corporations, Senate Bill No. 131.

**Gasoline:**

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- Providing for an additional one (1c) cent a gallon on motor vehicle fuel, allocating monies to general fund and state peoples motor vehicle fund, Senate Bill No. 336.
- Relating to (see Motor Fuel), Senate Bill No. 16.
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- Relating to observance of, designating Oct. 11 as, Senate Joint Resolution No. 5.

**Glass:**

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**Gross Revenue:**

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**Guests:**

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**Healing Arts:**

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**Health and Sanitation:**

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**Highways:**

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- Providing for a distribution of part of the motor vehicle fund to counties and cities for use on secondary and primary, Senate Bill No. 340.
- Providing for joint meeting of Oregon roads and bridges committee so as to make uniform traffic laws, Senate Joint Resolution No. 21.
- Providing for the elimination and safety of railroad crossings, Senate Bill No. 314.
- Providing for the necessary surveys, construction and completion of state highway No. 15, known as Stevens Pass highway, Senate Bill No. 20.
- Providing for the use of a portion of the receipts of the motor vehicle fund; creating the secondary highway fund, etc., Senate Bill No. 348.
- Relating to damage by floods or high water, Senate Bill No. 90.
- Relating to motor vehicles over the public, of the state, providing for the payment of fees therefor, providing for the painting and stenciling of the weight thereof upon every auto stage, motor truck and trailer, Senate Bill No. 334.
- Relating to motor vehicles used for transportation of school children, Senate Bill No. 71.
- Relating to public highways, making appropriations for right of way construction, maintenance, Senate Bill No. 333.
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- Relating to state road No. 14 or the Navy Yard highway, establishing a branch thereof, near Purdy to Clifton, Senate Bill No. 288.
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**Highway Engineer:**

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- Establishing a primary state highway to be known as "Peninsula Highway," Senate Bill No. 122.
- Pertaining to the fees, for the registration of motor vehicles upon, the public highways, Senate Bill No. 106.
- Placing state highway engineer on state flood control commission, Senate Bill No. 90.

**Hoberecht, Fred:**

- Refund of motorcycle license, \$3.00, Substitute Senate Bill No. 305.

**Hodge, Walter H.:**

- Receiver of Denny Creek Mountain Lodge, Inc. (Denny Creek Mountain Lodge, Inc., a corporation, vs. The State of Washington, No. 12641), \$1,230.57, Substitute Senate Bill No. 305.

**Hoffman, Dr. Walter F.:**

- Witness fees, December 1, 1932, \$72.50, Substitute Senate Bill No. 305.

**Homestead:**

- Defining a homestead and providing for the selection of, and exemptions thereof, Senate Bill No. 126.

**Homes:**

- Allowing deduction in the assessment of homes, exempting homes from levy, distraint or seizure, Senate Bill No. 303.

**Hops:**

- Relating to the hop industry and petitioning Congress to make hops a basic commodity, Senate Joint Memorial No. 25.

**Hospitals:**

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- Relating to placing of infants under one year of age, Substitute Senate Bill No. 6.
- Requiring hospitals to furnish vital statistics to state department of health relative to births, still-births and deaths, Senate Bill No. 115.

**Hours and Labor Conditions:**

- Pertaining to public utilities of cities of first class, Senate Bill No. 12.

**Housing Authorities:**

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**Human Bodies:**

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**Hydraulics:**

- Relating to duties of state supervisor, Senate Bill No. 90.

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- Creating a division of criminal, in the Washington State Patrol, Senate Bill No. 166.

**Immunity:**

- Relating to same under Securities Act, Senate Bill No. 70.

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- Relating to, in diking and drainage districts, Senate Bill No. 159.
- Relating to taxation, exemption of, Senate Bill No. 354.
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**Income Tax:**

- Providing for enactment of a graduated net, Senate Joint Resolution No. 7.

**Indebtedness:**

- Authorizing cities and towns, outside municipalities, communities, to incur certain, Senate Bill No. 134.
- Memorializing Congress for relief of farmers against agricultural, Senate Joint Memorial No. 16.
- Pertaining to flood control districts, Senate Bill No. 113.

**Indemnity Bonds:**

- Under certain conditions sheriff not liable for damages for neglecting to serve any civil process, Senate Bill No. 13.

**Indians:**

- Relating to rights of Indians fishing on reservations, Senate Bill No. 285.

**Industrial Competition:**

- Fair codes and cooperative action among trade groups, Senate Bill No. 257.

**Industrial Development:**

- Development of flax and linen industry in this state, Senate Joint Resolution No. 19.

**Industrial Insurance:**

- Pertaining to the care of injured workmen, Senate Bill No. 79.

**Industrial Policy:**

- Insure uniformity of state regulation of commerce with national regulation, Senate Bill No. 257.

**Industrial Recovery:**

- To insure it by uniformity of state regulation of commerce with national regulation, Senate Bill No. 257.

**Inheritance Tax:**

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**Initiative and Referendum:**

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Relating to publications of measures by, Senate Bill No. 62.

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**Injured Workmen:**

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**Inland Empire Dairy:**

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**Inspected Meat:**

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**Institutions:**

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**Institutions of Higher Learning (see Colleges).****Insurance:**

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Providing for inspection of insurance companies, Senate Bill No. 157.

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Regulating and licensing of insurance agents, Senate Bill No. 154.

Relating to attorney fees in suits upon any policy of insurance, Senate Bill No. 349.

Relating to insurance policy common carrier of passengers and freight, Senate Bill No. 128.

Relating to the exemption of certain societies from the laws relating to fraternal, Senate Bill No. 338.

**Insurance Commissioner:**

Authorizing the, to administrate the "Life Fund" of life insurance written by the State of Washington, Senate Bill No. 245.

Deficiency, salaries, wages and operations, emergencies approved October 23, 1933, and May 28, 1934, \$14,000.00, Substitute Senate Bill No. 305.

Pertaining to approval by, of schedule of insurance rates, Senate Bill No. 161.

Taking over the duties of the department of labor and industries, Senate Bill No. 107.

To carry out the provisions of Senate Bill No. 161, \$15,000.00, Substitute Senate Bill No. 305.

**Insurance Companies:**

Prescribing the standard form of policies of fire, Senate Bill No. 275.

**Insurance Premiums:**

- Relating to painting motor vehicles used for transportation of school children, Senate Bill No. 71.
- Securing percentage of premiums for firemen's relief and pension funds, Senate Bill No. 77.

**Interest:**

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- Relating to, the rate of interest to be paid by state depositaries upon moneys deposited by commissioner of public lands, Senate Bill No. 149.

**Interim Certificates:**

- Defining same under Securities Act, Senate Bill No. 70.

**International Government:**

- Pertaining to course of study in functions of, Senate Bill No. 83.

**International Harvester Co.:**

- Supplies furnished highway department, August 30, 1932, \$1.17, Substitute Senate Bill No. 305.

**Intoxicating Liquor:**

- Penalty for driving motor vehicle under the influence of, Senate Bill No. 48.

**Inundation (see Flood Control).****Investigations:**

- Creating a division of investigation in the Washington state patrol, Senate Bill No. 166.
- Providing for an official, of the public school finance system, Senate Bill No. 365.

**Irrigation:**

- Providing for a soil survey of land under irrigation in Kittitas county, Senate Bill No. 231.
- Relating to certificate of sale and deeds for land sold for assessments of irrigation districts, Senate Bill No. 98.
- Relating to Grand Coulee dam and irrigation project, Senate Joint Memorial No. 1.

**Irrigation Districts:**

- Relating to use of waters in, Senate Bill No. 125.

**Issuer:**

- Defining same under Securities Act, Senate Bill No. 70.

**Island County:**

- Drainage district No. 3, \$1,206.99, Substitute Senate Bill No. 305.

**Isted, Thomas:**

- Deceased; administrator of the estate of, refund for inheritance tax, \$28.19, Substitute Senate Bill No. 305.

**Jeffers, Viburt:**

- Senate group photograph for 1933, \$90.00, Substitute Senate Bill No. 305.

**Jefferson County:**

- Drainage district No. 1, \$273.93, Substitute Senate Bill No. 305.

**John, Jim:**

- Bank dividends escheated to permanent school fund, \$65.28, Substitute Senate Bill No. 305.

**Joint Drainage Improvement District No. 7:**

- Appropriating \$2,046.37 for the relief of, Senate Bill No. 213.

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- Relating to constructive contempt and granting the accused a change of, Senate Bill No. 306.

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**Judicial and Educational Ballot:**

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**Jurors:**

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- Relating to constructive contempt and granting the accused the right of trial by jury and change of judge, Senate Bill No. 306.

**Justice Courts:**

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- Relating to garnishments in, Senate Bill No. 131.
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**Kahl, Ora:**

- Overpayment on a remittance of \$19.93 for the maintenance of Mrs. Mary Kahl, a patient who died on October 12, 1933, at the eastern state hospital, \$12.22, Substitute Senate Bill No. 305.

**Keith, George W.:**

- Overpayment of license fees, \$19.85, Substitute Senate Bill No. 305.

**Kelly Springfield Tire Company:**

- Error in invoices, July 18, 1933, \$71.79, Substitute Senate Bill No. 305.

**Kern and Kibbe:**

- Kern and Kibbe vs. The State of Washington, No. 23725, \$18.00, Substitute Senate Bill No. 305.
- To discharge the judgment rendered in favor of, \$18.00, Senate Bill No. 205.

**King County:**

- First avenue south, \$220.43; 15th ave. northeast, No. 20, \$5,761.17; Maple Leaf highway, \$1,045.40; Vashon highway, \$7.76; all Donahue road assessments, total \$9,014.76, Substitute Senate Bill No. 305.
- Local improvement assessments under Commercial waterway district No. 1, \$2,275.29; Commercial waterway district No. 2, and drainage district No. 1, \$11.53; drainage district No. 6, \$2,693.95; water district No. 14, \$38.16; total \$5,018.93, Substitute Senate Bill No. 305.

**Kitsap County:**

- Eagle Harbor-Fletcher Bay, \$315.42, Substitute Senate Bill No. 305.

**Kittitas County:**

- Appropriation of \$3,000.00 for a soil survey of lands under irrigation (by the Washington state college, in.....), Substitute Senate Bill No. 305.
- Kittitas reclamation district, \$3,695.90, Substitute Senate Bill No. 305.
- Providing for a soil survey of land under irrigation in, Senate Bill No. 231.

**Knowlton, Ora K.:**

- Short payment of longevity pay for the 1931 field training encampment, \$6.30, Substitute Senate Bill No. 305.

**Labor:**

- Fixing percentages to be retained for the protection of materialmen, laborers, and others, in connection with public improvements, Senate Bill No. 59.
- Pertaining to rebate of wages for, Senate Bill No. 68.
- Prohibiting use of tear bombs and other dangerous chemicals in labor disputes, Senate Bill No. 27.
- Relating to forest products industries and labor of the state of Washington, Senate Joint Memorial No. 5.

**Labor and Industry:**

- Authorizing director of labor and industry to protect and collect payment of wages for workmen in private employment, Senate Bill No. 38.

**Ladies of the Grand Army of the Republic Home:**

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**Lands:**

- Appropriating \$20,000.00 for land and construction of fish hatchery in Grays Harbor county, Senate Bill No. 170.
- Authorizing lease or purchase of land around Monroe for the growing of shrubbery for state use, Senate Bill No. 307.
- Comprising site of Centralia state normal school be transferred to city of Centralia, Senate Bill No. 239.
- Relating to purchase of in supplementary appropriations bill, Senate Bill No. 305.
- Right of instructors at schools of higher education to define what is land value taxation, Senate Bill No. 100.

**Lateral Highway Fund:**

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**Lawyers (see Attorneys).****Leases:**

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- Designating leases as private property under flood control commission, Senate Bill No. 113.
- Granting of, for certain preferential rights to take petroleum and natural gas from state lands, Senate Bill No. 255.
- Relating to leasing of state lands, for grazing and prohibiting certain acts in relation thereto, Senate Bill No. 302.

**Legal Advice:**

- Permitting prosecuting attorney to give free legal advice, and act as counsel for those financially unable to employ counsel, Senate Bill No. 171.

**Legal Holidays:**

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**Legal Notices:**

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- Prescribing license for operation, maintenance or establishment of stores, Senate Bill No. 8.
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**Legislative Expense:**

- Deficiency, expenses extraordinary session, emergencies approved February 23, 1934, and April 18, 1934, \$2,712.52, Substitute Senate Bill No. 305.

**Legislators:**

- Providing an additional five dollar expense compensation for the members of the legislature, Senate Joint Resolution No. 20.

**Legislators—Continued:**

- Relating to qualifications of members of the legislature, Senate Joint Resolution No. 22.
- Requiring director of efficiency to send copies of preliminary appropriation budget, prior to December 15 preceding each regular session of the legislature to each, Senate Bill No. 121.

**Legislature:**

- Appropriating an additional \$5,000.00 for the printing of the 24th, Senate Bill No. 351.
- Appropriating \$30,000.00 additional for the expenses of the 24th, Senate Bill No. 352.
- Declaring the policy of the legislature in relation to the Agricultural Adjustment Act, Senate Bill No. 155.
- Directing the director of efficiency to mail copy of preliminary appropriation budget prior to opening of, the, Senate Bill No. 121.
- Making an appropriation for the printing and distribution, of arguments for and against, proposed amendments to the constitution submitted by the 24th regular session of the, Senate Bill No. 342.
- Providing an additional five dollar expense compensation for members of the, Senate Joint Resolution No. 20.
- Providing constitutional amendment, classifying wealth of state for taxation to empower, the, Senate Bill No. 74.
- Providing for compensation for members of legislature, by amending the state constitution, section 23, article 2, Senate Bill No. 82.
- Relating to closing session of the 1935 session of the, Senate Concurrent Resolution No. 6.
- Relating to obtaining opinion of the supreme court on constitutional questions, Senate Bill No. 146.
- Relating to the apportionment by districts of the membership of the house of representatives of the state of Washington, Senate Bill No. 212.
- Relating to the immediate determination of the constitutionality of an act of the legislature by the supreme court, Senate Bill No. 135.
- Relating to time for convening of, Senate Bill No. 163.
- Requesting investigation by public utilities committee of senate of the department of public works, Senate Joint Resolution No. 5.

**Levy:**

- Right to levy assessments for flood control in various flood control districts, Senate Bill No. 113.

**Lewis River Hatchery Fund:**

- Abolishment of the, Senate Bill No. 203.

**Liability:**

- Relating to liability bond of common carriers of passengers and freight, Senate Bill No. 128.
- Relating to release from, by surety bonds, Senate Bill No. 165.

**Licenses:**

- Authorizing cities and counties to license marble games and games of skill, Senate Bill No. 279.
- Buses transporting students under contract not required to have for hire license, Senate Bill No. 264.
- Classifying the sale of beer and wine by a license, Senate Bill No. 87.
- Defining the term "Street Car Bus," fixing license fees for motor vehicles, Senate Bill No. 328.
- Examination and licensing of public accountants, Senate Bill No. 262.
- For chain stores, Senate Bill No. 3.
- For common carriers, carrier for hire, etc., for motor vehicles of auto freight, Senate Bill No. 218.
- For insurance agents, brokers, and solicitors, Senate Bill No. 154.
- For the practice of "Physio Medicine" and surgery, Senate Bill No. 145.
- For the practice of sanipractic to be issued by the state board of sanipractic examiners, Senate Bill No. 129.

**Licenses—Continued:**

- Permitting licensed professional and vocational groups to form associations for the purpose of regulating their callings and taking over the powers now granted the director of, Senate Bill No. 290.
- Pertaining to dealers license plates and fees for license of same, Senate Bill No. 106.
- Pertaining to motor vehicle dealers license, Senate Bill No. 106.
- Prescribing license for operation, maintenance or establishment of stores, Senate Bill No. 8.
- Providing for certain licenses in use of narcotics, Senate Bill No. 148.
- Providing for issuance and revocation of certain licenses, to dig clams, Senate Bill No. 144.
- Providing for licenses to persons to fish in all open waters in this state, Senate Bill No. 283.
- Regulating and licensing of funeral directors and embalmers, Senate Bill No. 335.
- Regulating and licensing the practice of naturopathy, Senate Bill No. 331.
- Regulating the sale and possession of firearms and to make the law uniform, Senate Bill No. 273.
- Relating to appointment of committee to meet with like committee from Oregon in respect to uniformity of procuring marriage licenses, Senate Joint Resolution No. 11.
- Relating to disposal of farm produce and edibles without a, Senate Bill No. 286.
- Relating to tax on dogs, outside of cities or towns, Senate Bill No. 34.
- Relating to the licensing of city busses, Senate Bill No. 237.
- Requiring county auditors to furnish vital statistics to state department of health, for every applicant for marriage, Senate Bill No. 115.
- Requiring license to persons engaged in handling, retailing, processing, or wholesaling agricultural products, Senate Bill No. 155.
- Requiring license to sell or distribute, agriculture or vegetable seeds, Senate Bill No. 118.
- Requiring medical certificates of both applicants for marriage license, Senate Bill No. 234.
- To carry firearms, Senate Bill No. 147.

**Liens:**

- Making costs of seizure and abatement, reckless driving, a first, Senate Bill No. 47.
- On regulating contracts for public improvements and for the protection of materialmen, laborers and others, Senate Bill No. 59.
- Providing for priority lien, for employees on contract work, and workmen in cases of receivership, bankruptcy, and probate, Senate Bill No. 37.
- Relating to, for delinquent charges for water and electric energy furnished by cities, Senate Bill No. 293, also Senate Bill No. 304.
- Relating to mechanics', laborers' and materialmen's or vendors' liens, upon homesteads, Senate Bill No. 126.
- Requiring contractor's bond to protect laborers, etc., on public work, Senate Bill No. 52.

**Lieutenant-Governor:**

- To be a member of retirement pension board, Senate Bill No. 42.

**Life Insurance:**

- Empowering the state of Washington to write life insurance policies, Senate Bill No. 245.

**Lilly, Charles H. Company:**

- Supplies furnished state reformatory, March 23, 1933, \$3.20, Substitute Senate Bill No. 305.

**Linen:**

- Development of that industry in this state, Senate Joint Resolution No. 19.

**Liquidation:**

- Relative to savings and loan associations shareholders, Senate Bill No. 271.

**Liquor:**

- Empowering the state liquor board to appoint agents to dispense spirituous liquor by the glass or drink, Senate Bill No. 330.
- Pertaining to the control and regulation thereof, and classifying licenses for manufacture and sale of, Senate Bill No. 87.
- Providing for distribution of liquor funds to the county old age pension fund, Senate Bill No. 93.
- Relating to disposition of profits on, to incorporated cities and counties (30%), to the general fund (70%), Senate Bill No. 353.
- Relating to intoxicating liquors for the disposition of public funds, Senate Bill No. 91.
- Relating to the delivery of liquor from state liquor stores, Senate Bill No. 168.
- Repealing laws prohibiting sale of liquor within 2,000 feet of normal school, agricultural college and reform schools, excepting the university of Washington, Senate Bill No. 250.
- Repealing laws prohibiting sale of liquor within certain distance of military reservations, Senate Bill No. 251.
- Repealing laws requiring a certain age limit on, so as to permit the sale of under aged liquor, Senate Bill No. 249.

**Liquor Control Board:**

- Appropriating \$200,000.00 from liquor revolving fund for office building for the, Senate Bill No. 287.
- Empowering the, to appoint agents to dispense liquor by the glass or drink, Senate Bill No. 330.

**Liquor Revolving Fund:**

- Appropriating \$200,000.00 out of, for office building for liquor control board, Senate Bill No. 287.

**Liquor Stores:**

- Relating to the delivery of liquor from state, Senate Bill No. 168.

**Live Stock:**

- Relating to leasing of state lands, for grazing and prohibiting certain acts in relation thereto, Senate Bill No. 302.

**Lloyd, George B.:**

- Trustee of revolving fund, to be paid upon delivery to the state auditor of assignment claim, \$99.09, Substitute Senate Bill No. 305.

**Lobbying:**

- Relating to lobbying by public officials and principals of state institutions, Senate Joint Resolution No. 10.

**Local Improvement Bonds:**

- May be used in payment of delinquent assessments and/or in redemption of property sold for delinquent assessments, Senate Bill No. 296.
- Providing for the maintenance of local improvement guaranty funds to be derived from percentages of gross revenues of water districts, Senate Bill No. 270.

**Local Improvement Guaranty Funds:**

- Water districts to provide for maintenance of, to be derived from percentage of gross revenues of water systems, Senate Bill No. 270.

**Logged-off Lands:**

- Relating to the development of, Senate Bill No. 238.

**Lyons, Frank:**

- Administrator of the estate of, deceased (Territory of Alaska and A. J. Stockman, administrator, vs. The State of Washington, No. 125894), \$113.70, Substitute Senate Bill No. 305.

**Mail Contracts:**

- Petition congress to repeal certain acts pertaining to air mail contracts, Senate Joint Resolution No. 6.

**Main Stream:**

Pertaining to "Main Stream," in flood control districts, Senate Bill No. 113.

**Mangis, Frank H.:**

In full payment for material removed for purposes of state road No. 2, December 23, 1932, \$8.07, Substitute Senate Bill No. 305.

**Manufacturers:**

Authorizing the disposal of his product without license, Senate Bill No. 286.

**Marketing Agreements:**

Approving and adopting, or license prescribed by the secretary of agriculture of U. S., Senate Bill No. 155.

**Marriages:**

Defining rights of children of parents not legally married, Senate Bill No. 224 and Senate Bill No. 225.

Relating to uniform law with Oregon, pertaining to marriage licenses, Senate Joint Resolution No. 11.

Requiring county auditors to furnish to state department of health, vital statistics, pertaining to marriage license, Senate Bill No. 115.

Requiring medical certificates of both applicants for marriage licenses, Senate Bill No. 234.

**Marriage Licenses (see License).****Marriott, H. M.:**

In full payment of damages to property by department of highways, 1933, \$30.00, Substitute Senate Bill No. 305.

**Marrowstone Island:**

Congress memorialized to construct a bridge to connect, with the mainland, Senate Joint Memorial No. 17.

**Martin, Governor Clarence D.:**

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**Martin, Ray:**

Refund of notary fee, September 12, 1933, \$10.00, Substitute Senate Bill No. 305.

**Materialmen:**

Requiring contractor's bond to protect laborers, mechanics, and materialmen on public work, Senate Bill No. 52.

**McCroskey, James:**

Damages to property by department of highways, August 21, 1933, \$5.40, Substitute Senate Bill No. 305.

**Meats:**

Authorizing farmers, gardeners and manufacturers to dispose of products and edibles without a license, Senate Bill No. 286.

Regulating and licensing the preparation, handling, marketing and sale of, Senate Bill No. 164.

**Meat Shop:**

Defining "meat shop" under, and their licensing and regulations, Senate Bill No. 164.

**Medical Certificates:**

Required before applicants can obtain marriage license, Senate Bill No. 234.

**Medicine:**

Regulating and dispensing thereof, Senate Bill No. 85.

Relating to physio medicine and surgery, Senate Bill No. 145.

**Memorials:**

Pertaining to relief of farmers against agricultural indebtedness, Senate Joint Memorial No. 16.

Pertaining to relief to owners of residential property, Senate Joint Memorial No. 15.

Petitioning Congress for funds for air bases on the North Pacific Coast, Senate Joint Memorial No. 23.

Petitioning Congress relative to protection of our state forest products industries and labor, Senate Joint Memorial No. 5.

Petitioning Congress that funds be made available for the Puget Sound-Grays Harbor-Willapa Harbor-Columbia river canal, Senate Joint Memorial No. 22.

Petitioning Congress to allocate out of P. W. A. money for the construction of a vehicular tunnel through the Cascades via and under Naches Pass, Substitute Senate Joint Memorial No. 18.

Petitioning Congress to make loans to oyster planters, Senate Joint Memorial No. 19.

Petitioning the President and the United States Congress to allocate \$10,000,000.00 for a tunnel through the Cascade mountains, Senate Joint Memorial No. 18.

Petitioning United States Congress to construct a bridge across Portage canal and for an appropriation for \$125,000.00, Senate Joint Memorial No. 17.

Relating to an appropriation for federal and state hospitals, Senate Joint Memorial No. 13.

Relating to P. W. A. funds for the development of oil and gas in the state, Senate Joint Memorial No. 21.

Relating to the abolition of interest-bearing United States bonds, Senate Joint Memorial No. 9.

Relating to the employment of American citizens by ships and shipping companies, Senate Joint Memorial No. 14.

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Urging Congress to allocate a P. W. A. grant to purchase the toll bridge between Bremerton and East Bremerton, Senate Joint Memorial No. 20.

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**Meyer, Jennette C.:**

Labor and material furnished state reformatory December 17-24, 1931, March 8, 1932, \$11.75, Substitute Senate Bill No. 305.

**Midwives:**

Requiring midwives to furnish to state department of health vital statistics pertaining to births, stillbirths, and deaths, Senate Bill No. 115.

**Mileage:**

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**Military:**

Repealing law prohibiting sale of liquor within 300 feet of military reservations, Senate Bill No. 251.

**Military Department:**

- Deficiency, emergency protection (emergency approved March 23, 1933), \$2,050.70, Substitute Senate Bill No. 305.
- Deficiency, salaries, wages and operations (emergency approved November 1, 1934), \$7,500.00, Substitute Senate Bill No. 305.

**Milk:**

- Authorizing farmers, gardeners and manufacturers to dispose of farm produce and edibles without a license, Senate Bill No. 286.
- Providing for the purchase, sale, transportation, processing and distribution by the state and declaring it to be a public utility, Senate Bill No. 230.

**Milk Cows:**

- Relating to sale of, for beef purposes and regulating resale thereof, Senate Bill No. 216.

**Millington, Dr. William A.:**

- Medical attention to Private Donald J. Gregory, Service Battery, 146th F. A., \$23.50, Substitute Senate Bill No. 305.

**Mines and Mining:**

- Providing for rights of way and easements for development of mines, Senate Bill No. 259.
- Providing for the assessment and taxation of mineral rights, Senate Bill No. 28.
- Providing for the security of the payment of wage to workers in coal mines, Senate Bill No. 97.
- Relating to amount of work on unpatented mining claims, Senate Bill No. 26.
- Relating to the organization and administration of director of conservation and development relative to, Senate Bill No. 267.

**Minors:**

- Defining right of protection to child not born of lawful wedlock, Senate Bill No. 224 and Senate Bill No. 225.
- Providing educational opportunities for fatherless children of the veterans of the World War, Senate Bill No. 246.
- Providing for the care of feeble-minded children and youth; and for the establishment of an institution for such purposes, Senate Bill No. 317.
- Relating to foreclosures of real estate, Senate Bill No. 11.
- Relating to the welfare of, Substitute Senate Bill No. 6.
- Relative to welfare of dependent and delinquent children, Senate Bill No. 81.
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**Monies:**

- Relating to sureties of fiduciary bonds, Senate Bill No. 69.

**Mortgages:**

- Granting relief from inequitable foreclosure of mortgages on real property, Senate Bill No. 236.
- Granting relief from inequitable foreclosure of, Senate Bill No. 60.
- Relating to foreclosures of real estate, Senate Bill No. 11.
- Relating to, Senate Bill No. 70.

**Motor Fuels:**

- Declaring that the business of furnishing and distributing, or buying and selling, same is a public utility, Senate Bill No. 16.
- Regulating the sale and distribution of the, under supervision of director of agriculture, Senate Bill No. 150.
- Relating to constitutional amendment allowing reorganization and consolidation of counties, and counties and municipalities, Senate Joint Resolution No. 4.

**Motor Trucks:**

- Providing for the payment of fees for and providing for painting and stenciling weight upon all auto stages, motor trucks and trailers, Senate Bill No. 334.

**Motor Vehicle Fund:**

- Abolishing the general road and bridge fund, the permanent highway maintenance fund and using a portion of, in lieu thereof, Senate Bill No. 348.
- Appropriating \$100,000.00 from, for improving branch of state road No. 15 between the King-Snohomish county line to Monroe, Senate Bill No. 260.
- Appropriating \$600,000.00 from, in aid of new route to take traffic of the Pacific highway through Seattle, Senate Bill No. 232.
- From, a sum equivalent to one-tenth of one cent on each gallon of gas to the state parks and parkway fund for maintenance of state parks, Senate Bill No. 291.
- Providing for a distribution of part of the, Senate Bill No. 340.
- To be applied in the payment of federal proportion of cost of federal aid road construction, Senate Bill No. 57.
- Transferring lateral highway fund to a fund to be known as the "Motor Vehicle Fund," Senate Bill No. 192.

**Motor Vehicles:**

- Buses transporting students under contract not required to have for hire license, Senate Bill No. 264.
- Declaring reckless driving of, a nuisance, Senate Bill No. 47.
- Defining the term "street car bus" and fixing license fees for, Senate Bill No. 328.
- Empowering the issuance of search warrants for, Senate Bill No. 139.
- Fix fees for all auto stages, trucks or trailers and dealers' license plates, for, Senate Bill No. 106.
- Fixing fees for the registration of all auto stages, trucks or trailers, Senate Bill No. 106.
- Limiting the size and weight of loads of, Senate Bill No. 173.
- Providing for an additional tax of one (1c) cent a gallon on motor vehicle fuel, Senate Bill No. 336.
- Providing for joint meeting of Oregon roads and bridges committee so as to make uniform traffic laws, Senate Joint Resolution No. 21.
- Providing for the payment of fees for the painting and stenciling of the weight thereof upon every auto stage, motor vehicle and trailer, Senate Bill No. 334.
- Providing for the supervision, regulation and taxation thereof, Senate Bill No. 218.
- Regulating the operation of, Senate Bill No. 48.
- Regulating the speed, lengths, and weights of motor vehicles, Senate Bill No. 329.
- Relating to painting motor vehicles used for transportation of school children, Senate Bill No. 71.
- Relating to transportation by "contract haulers" and "for hire carriers," Senate Bill No. 35.
- Relating to the unlawful use of state-owned, Senate Bill No. 179.
- Releasing owners of, from responsibility for injuries to guest passengers therein, Senate Bill No. 337.
- Repealing law requiring owners of, to apply for certificates of ownership, Senate Bill No. 241.
- State-owned, providing for the purchase, repair, control, storage and use of, Senate Bill No. 178.
- Using safety glass thereon, Senate Bill No. 272.

**Mt. Adams Highway:**

- Establishing a primary state highway to be known as the, Senate Bill No. 220.

**Municipal Corporations (see Municipalities):**

- Regulation of rates of municipal corporations engaged in business, as public service corporations, Senate Bill No. 243.
- Relating to minimum wages for employees of all, Senate Bill No. 228.

**Municipal Emergency Procedure Act of 1935:**

- Relating to public works, the financing of, and contracting with federal agencies relating to, Senate Bill No. 299.

**Municipalities:**

- Directing state highway director to take over all bridges and streets, upon revocation of \$500.00 per mile maintenance money, Senate Bill No. 67.
- Relating to constitutional amendment allowing reorganization and consolidation of counties, and counties and municipalities, Senate Joint Resolution No. 4.
- Relating to garnishment against, Senate Bill No. 131.
- Requiring contractor's bond on public works, Senate Bill No. 52.

**Municipal Transit Systems:**

- Authorizing cities of first class of not less than 300,000 inhabitants owning or acquiring, to provide an alternative method for the operation, and financing same, Senate Bill No. 339.

**Mutual Savings Banks:**

- Authorized pensions for employees of, Senate Bill No. 54.
- Providing for the issuance of capital notes and debentures, Senate Bill No. 88.

**Narcotics:**

- Creating institution for maintenance, cure, care and rehabilitation of "drug addicts," Senate Bill No. 14.
- Penalty for driving motor vehicle under the influence of any narcotic drug, Senate Bill No. 48.
- Regulating sole possession and sale of, Senate Bill No. 148.

**National Economy Act:**

- Petitioning Congress relative to repeal of the, in so far as it reduces veteran's pensions and allowances, Senate Joint Memorial No. 7.

**National Government:**

- Pertaining to course of study in functions of, Senate Bill No. 83.

**National Guard:**

- Relating to the payment of retained pay for enlisted men of the, Senate Bill No. 319.
- Repealing law prohibiting sale of liquor within 300 feet of reservations of, Senate Bill No. 251.

**National Housing Act:**

- Authorizing savings and loan associations to secure mortgage insurance from Federal Housing Administration Insurance Corporation, Senate Bill No. 76.

**National Park Highway System:**

- Establishing a primary highway to be known as, Senate Bill No. 226.
- Establishing a primary state highway to be known as the, in Pierce and Lewis and Yakima counties, Senate Bill No. 210.
- Extending state highway No. 5 and appropriating \$1,000,000.00, Senate Bill No. 133.

**National Pension (Old Age):**

- Memorializing Congress of United States, Senate Joint Memorial No. 2.

**National Forests:**

- Relating to advertising of, Senate Joint Memorial No. 6.

**National Monuments:**

- Relating to education concerning, Senate Joint Memorial No. 6.

**National Parks:**

- Memorializing Congress of United States, Senate Joint Memorial No. 6.

**National Resources:**

- Control of the development of, Senate Bill No. 90.
- Relating to assessment and taxation of mineral rights, Senate Bill No. 28.
- Severance tax on, Senate Bill No. 30.

**Natural Gas and Petroleum:**

- Granting of permits, leases and certain preferences, rights to take, from state lands, Senate Bill No. 225.

**Natural Gas and Petroleum—Continued:**

Prohibiting waste and defining rules and regulations and the duties of director of conservation and development thereto, Senate Bill No. 268.

Relating to the development of, in this state by P. W. A. funds, Senate Joint Memorial No. 21.

**Natural Resources:**

Providing for the development of certain, Senate Bill No. 238.

**Naturopathy:**

Regulating and licensing the practice of, Senate Bill No. 331.

**Navigable Waters:**

Regulating the control over, Senate Bill No. 90.

**Navy Yard Highway:**

Relating to state road No. 14, or the, and establishing a branch thereof, near Purdy to Clifton, Senate Bill No. 288.

**Nicholson, Ben L.:**

Material furnished to capitol buildings and grounds, December 29, 1932, \$1.50, Substitute Senate Bill No. 305.

**N. I. R. A.:**

Fair competition agreements and codes for cooperation by state in effectuating national policy, Senate Bill No. 257.

**Non-Assessable Areas:**

Designating lands in flood control districts that are, Senate Bill No. 113.

**Normal Schools:**

Repealing laws prohibiting sale of liquor within 2,000 feet of, Senate Bill No. 250.

Relating to the disestablishment of the Centralia State Normal School, Senate Bill No. 239.

**North Beach Astoria Transit Co.:**

Freight charges on material furnished highway department, August 15, 1933, \$3.53, Substitute Senate Bill No. 305.

**North Coast Chemical & Soap Works:**

Fixtures furnished department of highways, March 3, 1933, \$3.00, Substitute Senate Bill No. 305.

Supplies furnished Washington Veterans Home, August 11, 1932, \$71.50, Substitute Senate Bill No. 305.

Supplies furnished Western State Hospital, December 31, 1932, \$12.60, Substitute Senate Bill No. 305.

**Northern Pacific Railway Co.:**

Undercharge on freight for department of highways, July 24, 1933, \$7.13, Substitute Senate Bill No. 305.

**Northern State Hospital:**

An emergency appropriation of \$34,000.00 for the, Senate Bill No. 111.

**Notice by Publication:**

Designating a newspaper of general circulation in county or outside as meeting legal requirements, in flood control action, Senate Bill No. 113.

**Notice of Cancellation:**

Bonds of "common carrier for hire," Senate Bill No. 128.

**Nugent, Senator D. O.:**

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**Nuisance:**

Declaring reckless driving of a motor vehicle a, Senate Bill No. 47.

**Nurse Stocks:**

Authorizing lease or purchase of land around Monroe for the purpose of growing, for state use, Senate Bill No. 307.

**Nurses:**

Relating to placing of infants under one year of age, Substitute Senate Bill No. 6.

**Ocean Beach Highway:**

Establishing primary state highway, known as, Senate Bill No. 66.

**Oil:**

Relating to development of in the state, Senate Joint Memorial No. 21.  
Relating to severance tax on, Senate Bill No. 30.

**Okanogan County:**

Wolf Creek reclamation district, \$1,663.39, Substitute Senate Bill No. 305.  
Whitestone reclamation district, \$5,140.52, Substitute Senate Bill No. 305.

**Old Age Pension:**

Creating commission and fund for, Senate Bill No. 7.  
Distribution of liquor funds for, Senate Bill No. 93.  
Memorializing Congress relative to the, Senate Joint Memorial No. 12.  
Providing partial revenue for, Senate Bill No. 8.  
Providing a retirement pension for all persons over fifty years of age, Senate Bill No. 42.  
Relating to Townsend old age pension plan, Senate Joint Memorial No. 4.

**Old Age Pension Fund:**

Transferring all moneys in the, to the general fund, Senate Bill No. 199.

**Old Age Pension Plan:**

Relating to Townsend old age pension plan, Senate Joint Memorial No. 4.

**Olympic Highway:**

Establishing a state road to be known as state road No. 9 or, Senate Bill No. 280.

**Oregon:**

Providing for joint meeting of Oregon roads and bridges committee so as to make uniform traffic laws, Senate Joint Resolution No. 21.  
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**Oyster Planters:**

Memorializing Congress to make loans to, Senate Joint Memorial No. 19.

**Oyster Reserve Fund:**

Abolishment of the, Senate Bill No. 204.

**Oysters:**

Relating to memorials relating to loans to oyster planters, Senate Joint Memorial No. 19.

**Pacific Highway:**

Construction of a new route to take traffic of the, through Seattle, Senate Bill No. 232.

**Pacific Coast:**

Memorializing congress for funds for air bases on the north Pacific coast, Senate Joint Memorial No. 23.

**Pacific County:**

Diking district No. 1, \$12.10, Substitute Senate Bill No. 305.

**Pacific States Construction Co.:**

(Pacific States Construction Co. vs. The State of Washington, No. 15686), \$8,461.78, Substitute Senate Bill No. 305.

**Pacific Tel. & Tel. Co.:**

Telephone charges to department of highways, \$14.17, Substitute Senate Bill No. 305.

**Parents:**

Defining rights of children of parents who are not legally married, Senate Bill No. 224 and Senate Bill No. 225.  
Providing for methods of sterilization thereof, Senate Bill No. 5.

**Parks and Parkway Fund:**

Associated Oil Co., supplies furnished state parks committee in previous biennium, \$63.78, Substitute Senate Bill No. 305.

**Parole:**

Authorizing and regulating the use of probation and the suspension of sentences in certain courts, Senate Bill No. 109.

Cited as "The State Parole Act," Senate Bill No. 94.

Creating a board of parole, designating its powers and duties, Senate Bill No. 108.

Persons convicted of certain crimes, excluding murder, robbery, rape, etc., may not have more than the last one-half of sentences suspended, Senate Bill No. 23.

Relating to, of a person convicted of certain crimes, Senate Bill No. 23.

Relating to probation officers for dependent and delinquent children, Senate Bill No. 81.

**Penal Institutions:**

Abolishing charitable educational penal reformatory institution current fund, Senate Bill No. 183.

Creating institution for maintenance, cure, care of "drug addicts," Senate Bill No. 14.

Providing for the investment of the permanent funds of all, Senate Bill No. 151.

**Penalties:**

Falsifying in application for marriage license certificate is misdemeanor, Senate Bill No. 234.

Fixing penalties for violation of vital statistics act of state department of health, Senate Bill No. 115.

For fraud on part of public accountants, Senate Bill No. 262.

For making rebates on wages, Senate Bill No. 68.

For offenses against the Washington state highway code, Senate Bill No. 55.

For reckless driving, Senate Bill No. 47.

For unlawful activities of associations and corporations with reference to sponsoring or opposing measures, Senate Bill No. 15.

For unlawfully conniving to have persons adjudged drug addicts, Senate Bill No. 14.

For unlawful possession, transportation, treatment and disposition of dead human bodies, Senate Bill No. 29.

For using tear bombs and other dangerous chemicals in labor disputes, Senate Bill No. 27.

For violating national code of fair competition, not more than \$500, Senate Bill No. 257.

For violation of act permitting the digging of clams, Senate Bill No. 144.

For violation of act pertaining to sale of food and drinks in drug stores, Senate Bill No. 211.

For violation of act limiting size and weight of loads on motor vehicles, Senate Bill No. 173.

For violation of act regulating practice of physio-medicine and surgery, Senate Bill No. 145.

For violation of act, supervising, regulating and licensing of motor vehicles used for carriers of freight, Senate Bill No. 218.

For violation of "Coal Miner Wage Security Act," Senate Bill No. 97.

For violation of deduction in the assessment of homes, exempting homes from levy, distraint or seizure, Senate Bill No. 303.

For violation of household workers act, Senate Bill No. 208.

For violation of insurance schedule of rates, Senate Bill No. 161.

For violation of license of operation, maintenance, opening or establishment of stores, Senate Bill No. 3; also Senate Bill No. 8.

For violation of Liquor Act, Senate Bill No. 87.

For violation of motor vehicle laws, Senate Bill No. 48.

For violation of Narcotics Act, Senate Bill No. 148.

For violation of payment of wages for labor in private employments, Senate Bill No. 38.

**Penalties—Continued:**

- For violation of regulations and prices of gasoline as a public utility under state control, Senate Bill No. 16.
- For violation of rules of health laid out by committee on water and air pollution, Senate Bill No. 312.
- For violation of Safety Act for Railways, Senate Bill No. 80.
- For violation of sale of certain securities, Senate Bill No. 70.
- For violation of the crime of usury, Senate Bill No. 119.
- For violation of uniform law on firearms, Senate Bill No. 273.
- Not over \$300 fine for offenses against the game and fish laws on the Snake river, Senate Bill No. 256.
- Providing a penalty for the unlawful use of state owned motor vehicles, trucks and other vehicles, Senate Bill No. 179.
- Providing civil and criminal, for the violation of the Washington A. A. A. Act, Senate Bill No. 209.
- Providing for penalties for the violation of Public Health Act, Senate Bill No. 116.
- Providing for violation of Sales Tax Act, Senate Bill No. 181.
- Providing penalties for violation act legalizing marble game and games of skill, Senate Bill No. 279.
- Regarding painting of school busses red, white and blue, Senate Bill No. 71.
- Regarding the welfare of minor children, their care, custody, control and adoption, Senate Bill No. 6.
- Providing for penalties for violation of blind persons' pension fund, Senate Bill No. 242.

**Pend Oreille County:**

- Diking district No. 2, \$226.27, Substitute Senate Bill No. 305.

**Peninsula Highway:**

- Establishing a primary state highway in Pacific county to be known as, Senate Bill No. 122.

**Penitentiary Revolving Fund:**

- Abolishing the, Senate Bill No. 196.

**Pensions (also see Old Age Pension):**

- For employees of mutual savings banks, Senate Bill No. 54.
- For the blind, Senate Bill No. 130.
- Providing funds for pensioning blind persons, Senate Bill No. 242.

**Perennial Sow Thistle:**

- Prohibiting the sale of same for seeding purposes, Senate Bill No. 118.

**Perkins, Chas. N.:**

- Appropriation for \$9.00 for refund purse seine license fee June 21, 1934, Substitute Senate Bill No. 305.

**Permanent Highway Fund:**

- Abolishing the, Senate Bill No. 185.
- Abolishing the, Senate Bill No. 348.

**Personal Property:**

- Classifying the operating property of railroads and street railroads as, Senate Bill No. 103.
- Defining exemptions of household goods and other, Senate Bill No. 227.
- Pertaining to sale of personal property under execution, order of sale, or decree, Senate Bill No. 36.
- Providing for exemption on, Senate Bill No. 140.
- Relating to exemptions from attachment and execution of personal property, Senate Bill No. 120.
- Relating to the time of payment of personal property taxes for the year 1934 due and payable in 1935 and extending the time for rebates, Senate Bill No. 323.

**Peterson, Mrs. Alma:**

- Monies improperly escheated to the state in the estate of Charles A. Peterson, deceased, probate case 14067, \$117.20, Substitute Senate Bill No. 305.
- Providing for the relief of, Senate Bill No. 361.

**Petitioner:**

- Designating first name on land owner's petition as the one to be officially notified by state director, Senate Bill No. 113.
- Petitioning congress to provide adequate facilities at Soap Lake for the care of veterans afflicted with Buergers disease, Senate Joint Memorial No. 8.
- Petitioning congress to repeal national "Economy Act" in so far as it reduces veterans' pensions and allowances, Senate Joint Memorial No. 7.

**Petroleum and Natural Gas:**

- Granting of permits, leases and certain preferences rights to take, from state lands, Senate Bill No. 255.
- Prohibiting waste and defining rules and regulations and the duties of director of conservation and development thereto, Senate Bill No. 268.
- Relating to levying and excise tax on, Senate Bill No. 240.
- Relating to the development of, in this state by P. W. A. funds, Senate Joint Memorial No. 21.
- Relating to the production, transportation and distribution of, Senate Bill No. 347.

**Pharmacy:**

- Creating a state board of pharmacy, Senate Bill No. 85.

**Physicians:**

- Defining duties of a physician in cases of contagious or infectious diseases, Senate Bill No. 116.
- Relating to placing of infants under one year of age, Substitute Senate Bill No. 6.
- Requiring physicians, to furnish to state department of health, vital statistics, pertaining to births and deaths, Senate Bill No. 115.

**"Physio Medicine":**

- Creating "Physio Medicine" board, Senate Bill No. 145.

**Pierce County:**

- Regents park, Day island, \$68.08, Substitute Senate Bill No. 305.

**Plumbing:**

- Relating to codes by cities, Senate Bill No. 4.

**Police Pension Fund:**

- Creating a board of police pension fund commissioners, Senate Bill No. 322.

**Political Candidates:**

- Relating to the activity of associations, corporations and organizations with reference to candidates, initiative or referendum measures, Senate Bill No. 15.

**Political Parties:**

- Designating the election officers as members of certain, Senate Bill No. 101.

**Portage Canal Bridge:**

- Petitioning U. S. congress for an appropriation for \$125,000 for a bridge connecting Marrowstone island with the mainland, Senate Joint Memorial No. 17.

**Port Districts:**

- Providing for the investment of available port district funds by the county finance committee, in, Senate Bill No. 344.
- Relating to, fixing votes, established by department of public works, Senate Bill No. 244.
- Setting time for the election of, Senate Bill No. 123.

**Port of Seattle:**

- To be applied on assessment levied by the city of Seattle by ordinance No. 62123 as amended by ordinance No. 64218, local improvement district No. 5339, and to be reimbursed to the general fund by the state treasurer from rentals received by said state treasurer from the leases of the property assessed herein until the payment has been paid, \$64,515.67, Substitute Senate Bill No. 305.

**Possession:**

Relating to possession of real property wrongfully detained, Senate Bill No. 217.

**Poverty Weed:**

Prohibiting the sale of same for seeding purposes, Senate Bill No. 118.

**Precinct Committeemen:**

Of each party shall certify to the county chairman a list of persons qualified to act upon the election board, Senate Bill No. 206.

**Premiums:**

Relating to, for life insurance policies written by the state of Washington, Senate Bill No. 245.

**President Pro Tem.:**

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**President of State Federation of Labor:**

To be a member of retirement pension board, Senate Bill No. 42.

**Printing:**

Appropriating an additional \$5,000.00 for printing of the 24th legislature, Senate Bill No. 351.

**Prisoners:**

Prisoners convicted of certain crimes, excluding murder, robbery, rape, etc., may not have more than the last one-half of sentences suspended, Senate Bill No. 23.

**Probate Officers:**

Providing for the appointment of, and defining the powers and duties of, Senate Bill No. 109.

**Professional Men:**

Permitting licensed professional and vocational groups to form associations for the purpose of regulating their callings and taking over licensed powers, Senate Bill No. 290.

**Promissory Notes:**

Authorizing cities of the first class to borrow money for corporate purposes on, Senate Bill No. 308.

**Promoter:**

Defining same under Securities Act, Senate Bill No. 70.

**Property:**

Relating to the holding and disposition of, community, Senate Bill No. 96.

**Propositions:**

Authorizing secretary of state to print various propositions upon the primary and general election ballot, Senate Bill No. 136.

**Prosecuting Attorney:**

Placing as a member of "county election boards" the, Senate Bill No. 101.  
 Prohibiting deputy prosecuting attorneys in class A, first and second class counties from accepting compensations other than their salary, Senate Bill No. 221.  
 Requiring the enforcement of the Public Health Act by the, Senate Bill No. 116.

**Providence Hospital:**

Hospitalization for Private Donald J. Gregory, service battery, 146th F. A., \$42.65, Substitute Senate Bill No. 305.

**Public Accountants:**

Examination and licensing of, Senate Bill No. 262.

**Public Funds:**

Relating to interest on deposits in banks, by commissioner of public lands, Senate Bill No. 149.

**Public Health:**

- Pertaining to regulation, the qualifications of all public health personnel, by the state board of health, Senate Bill No. 175.
- Providing for a state board of health, Senate Bill No. 116.
- The alleviation of recurring flood damages to public and private property, Senate Bill No. 90.

**Public Improvements:**

- Regulating contracts for, Senate Bill No. 59.

**Public Lands:**

- Commissioner of, can grant leases and certain preference rights, to take petroleum and natural gas from state lands, Senate Bill No. 255.

**Public Officers:**

- Relating to exemption from garnishment of salaries of, Senate Bill No. 78.
- Relating to lobbying by, Senate Joint Resolution No. 10.
- Transferring certain duties of director of efficiency relating to examination of public offices to the state auditor, Senate Bill No. 315.

**Public Projects:**

- An act to regulate control and safeguard the disbursement of funds expended for, Senate Bill No. 219.

**Public Schools (see Schools):**

- Pertaining to rental for use of school playgrounds or athletic fields, Senate Bill No. 105.
- Providing for a state school book commission to select and distribute uniform textbooks free to pupils of, Senate Bill No. 43.

**Public Service Companies:**

- Providing for additional supervision and regulation of, Senate Bill No. 40.
- Providing for additional supervision and regulation of, Senate Bill No. 156.
- Regulation of rates of, by the department of public works, of municipal corporations engaged in business as, Senate Bill No. 243.

**Public Service Revolving Fund:**

- Cascade Truck Co. (Cascade Truck Company, a corporation, vs. The State of Washington, No. 15458), \$19.40, Substitute Senate Bill No. 305.
- Elof Swanson, refund for overpayment on gross revenue fees, \$78.46, Substitute Senate Bill No. 305.
- Wilson Motor Co., refund of gross revenue fees, \$54.75, Substitute Senate Bill No. 305.

**Public Utilities:**

- Amending present law providing for submission to voters of systems or plans proposed, Senate Bill No. 298.
- Declaring petroleum, crude oil, diesel oil, coal oil and gasoline, Senate Bill No. 347.
- Declaring the distribution of milk to be a public utility, Senate Bill No. 230.
- Establishing the business of furnishing and distributing, or buying and selling, is a, Senate Bill No. 16.
- Relating to authority of cities of first class to deal with their employees, concerning wages, hours, etc., Senate Bill No. 12.

**Public Welfare (see Welfare).****Public Works:**

- Confirming bonds and other obligations heretofore issued by public bodies of this state for, Senate Bill No. 297.
- Simplifying financing of, by counties, cities and towns and enabling them to perform contracts with federal agencies in relation thereto, Senate Bill No. 299.

**Public Works Administration (P. W. A.):**

- Congress memorialized to allocate a P. W. A. grant to purchase the toll bridge between Bremerton and East Bremerton, Senate Joint Memorial No. 20.
- Relating to funds for the development of oil and gas in the state, Senate Joint Memorial No. 21.

**Publications:**

- Relating to legal notices and fixing fees for, Senate Bill No. 21.
- Relating to the publication and sale of Washington supreme court reports, Senate Bill No. 332.

**Puget Island:**

- Bridge to be built across Columbia river from, to Wahkiakum county, Senate Bill No. 248.

**Puget Sound-Grays Harbor-Willapa Harbor Canal:**

- Reappropriating funds for—to be expended by the canal commission, Senate Bill No. 341.

**Puget Sound-Grays Harbor-Willapa Harbor-Columbia River Canal:**

- Petitioning congress that funds be made available for the construction of, Senate Joint Memorial No. 22.

**Purchasing Agent:**

- Authorizing county commissioners of the first class counties to employ a, Senate Bill No. 327.

**P. W. A.:**

- Appropriating \$40,000.00 for laboratory at engineering school of university of Washington to be matched with funds for labor used in construction of laboratory—by the P. W. A., Senate Bill No. 284.

**Quack Grass:**

- Prohibiting the sale of same, for seeding purposes, Senate Bill No. 118.

**Qualifications:**

- Relating to the, of the members of the legislature, Senate Joint Resolution No. 22.

**Quitclaim Deeds:**

- Transferring certain real estate to Tacoma Boy Scouts, Senate Bill No. 223.

**Ralley, Virgil:**

- Trustee of revolving fund, to be paid upon delivery to the state auditor of assignment of claim, \$90.25, Substitute Senate Bill No. 305.

**Railroads:**

- Pertaining to assessment, levy, equalizing and collection of taxes of the railroad company, Senate Bill No. 103.
- Promoting safety of travelers and employees on, limiting length of freight and passenger trains, Senate Bill No. 80.
- Providing for the elimination and safety of railroad crossings on highways, Senate Bill No. 314.

**Rates:**

- Fixing rates for wharfage, dockage warehouses, port and terminal, of port districts, charges approved by department of public works, Senate Bill No. 244.
- For carrier of freight by motor vehicles, Senate Bill No. 218.
- Pertaining to schedule of rates by insurance companies, Senate Bill No. 161.
- Regulation of, by the department of public works of municipal corporations engaged as public service companies, Senate Bill No. 243.
- Relating to adjustment of unfair rates of common carriers by department of licenses, Senate Bill No. 235.

**Raymond, Elizabeth:**

- For relief of, \$3,600.00, Senate Bill No. 265.

**Raymond-Oakville-Olympia Highway:**

- Establishing primary state highway known as, Senate Bill No. 65.

**Real Estate:**

- Relating to foreclosure of real estate mortgage, Senate Bill No. 11.
- Relating to real estate brokers, and further defining their rights, Senate Bill No. 278.

**Real Property:**

- Granting relief from inequitable foreclosure of mortgages on real property, Senate Bill No. 236.
- Imposing tax upon gross rentals from, Senate Bill No. 18.
- Memorializing congress to give relief to owners of residential property, Senate Joint Memorial No. 15.
- Permitting the board of county commissioners to lease and improve county owned land acquired for taxes, Senate Bill No. 269.
- Pertaining to sale of real property under execution, order of sale, or decree, Senate Bill No. 36.
- Providing a special proceeding for the recovery of real property wrongfully detained, Senate Bill No. 217.
- Providing for exemption on homes and farms, Senate Bill No. 140.
- Providing for rights of way and easements for development of mines, Senate Bill No. 259.
- Regulating sale by counties of tax-acquired, Senate Bill No. 51.
- Relating to adoption, as an official compilation of the laws of this state, Senate Bill No. 17.
- Relating to foreclosure of real estate mortgages, Senate Bill No. 11.
- Relating to the amount of work that can be done on unpatented mining claims, Senate Bill No. 26.
- Relating to the time of payment of, real property taxes for the year 1934, extending the time for rebate on same, Senate Bill No. 323.
- Test of valuation of, by assessor and amending the law, Senate Bill No. 263.

**Rebates:**

- Making it unlawful to rebate wages or salary, Senate Bill No. 68.

**Receiverships:**

- Relating to manner of same under Securities Act, Senate Bill No. 70.

**Reckless Driving:**

- Penalty for, Senate Bill No. 47.

**Reclamation:**

- Reclaiming arid, swamp, overflow, logged-off lands aids to commerce including commercial waterways, Senate Bill No. 238.

**Records:**

- Relating to public records in the supervision of public service companies, Senate Bill No. 156.

**Redemption:**

- Local improvement bonds may be used in payment of delinquent assessments and/or in redemption of property sold for delinquent assessments, Senate Bill No. 296.
- Relating to inequitable foreclosure of mortgage on real estate, and extending period of, Senate Bill No. 60.

**Red, White and Blue:**

- Specifying school busses shall be painted, Senate Bill No. 71.

**Referendums:**

- Relating to, and the registration and certification of same, and amending present law, Senate Bill No. 294.

**Reformatory Revolving Fund:**

- Transferring the monies in the, to general fund, Senate Bill No. 197.

**Reform Schools:**

- Repealing laws prohibiting sale of liquor within 2,000 feet of, Senate Bill No. 250.

**Registrars:**

- Defining their duties and fixing their compensation in relation to department of health, Senate Bill No. 115.

**Registration:**

- Relating to, in regard to initiative and referendum, Senate Bill No. 294.

**Registration Districts:**

Authorizing state director of health to divide state into primary, Senate Bill No. 115.

**Registration of Dealers:**

Relating to, under Securities Act, Senate Bill No. 70.

**Registration by Notification:**

Defining securities entitled to, Senate Bill No. 70.

**Registration by Qualification:**

Defining securities entitled to, Senate Bill No. 70.

**Registration of Salesmen:**

Relating to, under Securities Act, Senate Bill No. 70.

**Registration of Securities:**

Providing for manner of, Senate Bill No. 70.

**Releases:**

From liability, on surety bonds, Senate Bill No. 165.

**Relief:**

Pertaining to relief for blind persons, Senate Bill No. 130.

Relating to, in supplementary appropriations bill, Senate Bill No. 305.

**Rentals:**

Relating to taxation, imposing a tax upon gross rentals, Senate Bill No. 355.

**Representatives:**

Relating to eligibility of, Senate Bill No. 53.

**Reservations:**

Relating to rights of Indians fishing on reservations, Senate Bill No. 285.

**Reserve Fund:**

Of the Workmen's Compensation Act may be invested in national, state, county, municipal or school bonds, Senate Bill No. 252.

**Residence Requirement:**

Prohibiting a, for public health personnel, Senate Bill No. 175.

**Resolutions:**

Allowing legislature to increase salary of attorney general, Senate Joint Resolution No. 15.

Allowing legislature to increase salary of secretary of state, Senate Joint Resolution No. 16.

Allowing legislature to increase salary of state auditor, Senate Joint Resolution No. 12.

Allowing legislature to increase salary of state treasurer, Senate Joint Resolution No. 14.

Allowing legislature to increase salary of superintendent of public instruction, Senate Joint Resolution No. 13.

Amending Joint Rule No. 19, Senate Concurrent Resolution No. 4.

Concurrent with House, providing for observance of 1st Tuesday in May to be known as Washington State Day, Senate Concurrent Resolution No. 3.

Development of the flax and linen industry in this state, Senate Joint Resolution No. 19.

Dividing the state into Eastern and Western Washington, Senate Joint Resolution No. 23.

Joint meeting with members of the Oregon roads and bridges committee of the legislature for uniform traffic laws, Senate Joint Resolution No. 21.

Lincoln day joint session, Senate Concurrent Resolution No. 5.

Petitioning Congress to repeal certain act pertaining to air mail contracts, Senate Joint Resolution No. 6.

Providing an additional five dollar expense compensation for the members of the legislature, Senate Joint Resolution No. 20.

Prohibiting the shipping of steelhead trout from November to May of each year, Senate Joint Resolution No. 18.

Relating to "General Pulaski's" memorial day, Senate Joint Resolution No. 5.

**Resolutions—Continued:**

- Relating to judiciary, providing for a new section to be known as section 2 (a), Senate Joint Resolution No. 8.
- Relating to qualifications of the legislators, Senate Joint Resolution No. 22.
- Relating to the closing of the business of 1935 session of legislature, Senate Concurrent Resolution No. 6.
- Relating to uniformity of marriage licenses with Oregon, Senate Joint Resolution No. 11.
- Simplification and strengthening of state auditing system, Senate Concurrent Resolution No. 2.
- Time of convening, Senate Concurrent Resolution No. 1.
- Washington State Day, Senate Concurrent Resolution No. 3.

**Resources:**

- Relating to the development of the agricultural resources of the state, Senate Bill No. 238.

**Restaurants:**

- Relating to exemptions for—under volume of business system of taxation, Senate Bill No. 325.

**Retained Pay:**

- Relating to the payment of—for enlisted men of the National Guard and making appropriations therefor, Senate Bill No. 319.

**Retirement Pension Board:**

- Creating a retirement pension board, consisting of lieutenant-governor, state treasurer, and the president of the Washington State Federation of Labor, Senate Bill No. 42.
- Providing for forty dollars (\$40.00) per month for persons fifty years of age or more, Senate Bill No. 42.

**Revenue:**

- Relating to education and providing for school revenues and disbursements, Senate Bill No. 365.
- Relating to reclamation revolving fund, Senate Bill No. 142.
- Relating to, Senate Bill No. 143.

**Revolving Fund:**

- Relating to tax levy for the reclamation, Senate Bill No. 142.

**Rexall Drug Company:**

- Supplies furnished department of labor and industries, \$12.89, Substitute Senate Bill No. 305.

**Rights-of-Way:**

- Providing, and easements for development of rights of mines, Senate Bill No. 259.

**Rivers:**

- Relating to flood control, providing for control of, Senate Bill No. 364.

**Roads and Bridges:**

- Providing for a joint meeting with members of Oregon, committee, Senate Joint Resolution No. 21.

**Roads and Bridges Fund:**

- Abolishing the, Senate Bill No. 348.

**Robinson Sales Corporation:**

- Supplies furnished highway department, February 9, 1933, \$11.94, Substitute Senate Bill No. 305.

**Rohrbach, E. J., and Norris E. Inveen:**

- To reimburse them for money paid to the commissioner of public lands for deed, September 18, 1928, \$105.00, Substitute Senate Bill No. 305.

**Ross, Dr. W. L.:**

- Witness fees, June 14, 1932, \$25.00, Substitute Senate Bill No. 305.

**Ross, George W.:**

- Services rendered to Northern State Hospital, May 12 to May 21, 1932, \$25.80, Substitute Senate Bill No. 305.

**Ross, Wm.:**

Expenses for previous biennium, \$13.60, Substitute Senate Bill No. 305.

**Roza Reclamation Project:**

Memorializing Congress, for the completion of, Senate Joint Memorial No. 11.

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**Safety Glass:**

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**Salaries:**

Amending the constitution allowing the legislature to increase the salary of the state auditor, Senate Joint Resolution No. 12.

Increasing salary of the attorney general, Senate Joint Resolution No. 15.

Increasing the salary of the secretary of state, Senate Joint Resolution No. 16.

Increasing salary of the state treasurer, Senate Joint Resolution No. 14.

Increasing salary of the superintendent of public instruction, Senate Joint Resolution No. 13.

Relating to, in supplementary appropriations bill, Senate Bill No. 305.

**Sales:**

Of county property acquired for taxes, Senate Bill No. 51.

Of property acquired for non-payment for assessments of irrigation districts, Senate Bill No. 98.

**Sales Tax:**

Imposing taxes upon certain sales and providing for the ascertainment, assessment, collection and distribution thereof, Senate Bill No. 181.

**Sanipractic:**

Defining the term sanipractic, and regulating and licensing the practice of, Senate Bill No. 129.

**Sanipractic Institution:**

Defining a sanipractic "institution," school, college, or university within purview of this act, Senate Bill No. 129.

**"Sanipractic Physicians' Fund:"**

Creating a, Senate Bill No. 129.

**Sanitary Code:**

Provided for, Senate Bill No. 313.

**Sanitation (see Health and Sanitation).****Sanitary Districts:**

Relating to disposal of sewage by, Senate Bill No. 24.

**Savings and Loan Associations:**

Authorizing same to secure mortgage insurance from the federal housing administration, Senate Bill No. 76.

Relating to the shareholders of, and duties of the supervisor of, and amending the present law, Senate Bill No. 271.

Prohibiting the payments of any compensation to directors of, when not paying dividends, Senate Bill No. 247.

**Schofield, Esther Rose:**

Refund for payment made to department of public lands, where a deed was issued but revoked, under application No. 9630, \$37.15, Substitute Senate Bill No. 305.

**School Directors:**

- Defining powers of school directors to rent school playgrounds or athletic field, Senate Bill No. 105.
- Powers and duties relative to issuance and sale of school district bonds, Senate Bill No. 162.
- Relating to the organization of boards of directors of union high school districts, Senate Bill No. 301.

**School Districts:**

- Defining the personnel of election boards in second and third class school districts in other than class A, or first class counties, Senate Bill No. 101.
- Owning busses transporting students under contract not required to have for hire license, Senate Bill No. 264.
- Providing for the investment of available school districts funds, by the county finance committee, in, Senate Bill No. 344.
- Relating to education, providing for the consolidation of, Senate Bill No. 281.
- Relating to school district elections of the second and third class in all counties other than class A, and first class counties, Senate Bill No. 102.
- Relating to the apportionment of the state current school fund to the counties of the state for the use of the, Senate Bill No. 359.

**School Equalization Fund:**

- Establishing an emergency state current, Senate Bill No. 365.

**School Financial System:**

- Providing for an official investigation of the public, Senate Bill No. 365.

**School for the Blind:**

- Appropriating for drilling a well and installing a water system for the, Senate Bill No. 141.

**School for the Deaf:**

- Appropriating for the drilling of a well and installing of a water system for the, Senate Bill No. 141.

**School Fund (see State Current School Fund):**

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- Providing for the investment of the permanent, and the fund of school of higher education and the charitable and penal institutions, Senate Bill No. 151.
- Relating to the apportionment of the state current, Senate Bill No. 359.

**Schools (see Public Schools):**

- Busses transporting students under contract not required to have for hire license, Senate Bill No. 264.
- Relating to the organization of boards of directors of union high school districts, Senate Bill No. 301.

**Schools, Professional:**

- Relating to special tuition of, in the University of Washington, Senate Bill No. 276.

**Scientific School Current Fund:**

- Abolishing the, Senate Bill No. 195.

**Search Warrants:**

- Relating to the issuance of, and providing for the service thereof, Senate Bill No. 139.

**Seattle:**

- Construction of a new route to take traffic of the Pacific highway through Seattle, Senate Bill No. 232.

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- Ex-officio member of Washington state development commission, Senate Bill No. 117.
- Relating to expressions of principles of candidates to be printed upon primary and general elections ballots, Senate Bill No. 136.
- Requiring the secretary of state to submit to supreme court acts of legislature or initiative measure, immediately upon the passage, Senate Bill No. 135.
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**Securities Code:**

- Providing for the regulation and supervision of the issuance and sale of certain securities to prevent fraud in sale thereof, Senate Bill No. 70.

**Seed Fund:**

- Crediting seed fund with monies received under the Agricultural Seed Act, Senate Bill No. 118.

**Seeds:**

- Prohibiting the sale of seeds containing five per cent or more of weed seeds, Senate Bill No. 118.

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**Sewage:**

- Committee on water and air pollution to make experiments and investigations, Senate Bill No. 312.
- Relating to, sewage, by cities, towns, counties, diking districts, drainage districts, etc., Senate Bill No. 24.

**Sewerage Improvement Districts:**

- Relating to disposal of sewage by, Senate Bill No. 24.

**Sextons:**

- Requiring sextons to furnish vital statistics to state department of health, pertaining to burials, Senate Bill No. 115.

**Shareholders:**

- Relating to, of savings and loan associations and amending present law, Senate Bill No. 271.

**Shell Oil Company:**

Supplies furnished highway department, March 31, 1933, \$3.14, Substitute Senate Bill No. 305.

**Sheriff:**

Enlarging the duties of, Senate Bill No. 167.

For relief of Elizabeth Raymond, widow of deputy sheriff killed in action, Senate Bill No. 265.

Relating to indemnity bonds of, Senate Bill No. 13.

**Shipping (see Steamships).****Shoreland Improvement Fund:**

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**Shoreland Improvement Guaranteed Interest Fund:**

Pertaining to abolishment of, the, Senate Bill No. 190.

**Shrubbery:**

Authorizing lease or purchase of land for purpose of growing, for state use, Senate Bill No. 307.

**Sinclair's Inlet:**

Pertaining to purchase by the State of Washington of the Bremerton to East Bremerton toll bridge across, Senate Bill No. 84.

**Skagit County:**

Diking districts Nos. 1, 5, 14, 15, and drainage district No. 15, \$1,147.47, Substitute Senate Bill No. 305.

Guemes Island road No. 12, \$303.34, Substitute Senate Bill No. 305.

**Slaughter Houses:**

Pertaining to the licensing, supervision and regulation of, Senate Bill No. 164.

**Slocum, Dr. Samuel C.:**

Witness fees, 1931, \$15.00, Substitute Senate Bill No. 305.

**Slums:**

Empowering housing authorities to engage in slum clearance, Senate Bill No. 366.

**Snake River:**

Concurrent jurisdiction over, by Idaho and Washington for enforcement of fish and game laws, Senate Bill No. 256.

**Snohomish County:**

Diking Improvement District No. 5, \$7,949.01, Substitute Senate Bill No. 305.

For relief of Dike District No. 5, \$7,974.15, in, Senate Bill No. 258.

Improving a branch of state road No. 15 between King-Snohomish county line to Monroe, Senate Bill No. 260.

**Societies:**

To be formed to regulate professional and vocational groups, callings and take over the powers now granted to the director of licenses, Senate Bill No. 290.

**Spokane County:**

Spokane Valley Irrigation District No. 10, \$86.20, Substitute Senate Bill No. 305.

**Standard Brands of California:**

Supplies furnished state reformatory, November, 1932, \$31.59, Substitute Senate Bill No. 305.

**Standard Oil Co.:**

Gasoline furnished highway department, April 29, 1933, \$.88, Substitute Senate Bill No. 305.

**Star Brewery Company:**

Overpayment of license fees, \$248.85, Substitute Senate Bill No. 305.

**State:**

See also Departments and Directors.  
See also Washington State prefixes.

**State Aid:**

For care of persons suffering from tuberculosis, Senate Bill No. 137.

**State Auditor:**

Amending constitution to allow increase in salary of the, Senate Joint Resolution No. 12.  
Deficiency, salaries and wages (emergency approved March 23, 1933), \$346.45, Substitute Senate Bill No. 305.  
Deficiency, printing biennial report (emergency approved November 1, 1934), \$1,500.00, Substitute Senate Bill No. 305.  
Defining powers; transferring duties of director of efficiency relating to inspection of public offices, Senate Bill No. 315.  
Designating the state auditor as member of the state police pension fund, Senate Bill No. 322.  
Empowering the, as a member of the state board of contracts and awards, Senate Bill No. 219.  
For audit of the state liquor control board, salaries, wages and operations, \$10,000.00. (This appropriation in addition to the provisions under Substitute Senate Bill No. 87.) Substitute Senate Bill No. 305.  
For distribution to "firemen's relief and pension funds" as provided by Senate Bill No. 77, provided, that expenditures shall not exceed forty-five (45) per cent of receipts for tax on fire insurance premiums, \$140,000.00, Substitute Senate Bill No. 305.  
For distribution to "volunteer firemen's relief and compensation funds" as provided by House Bill No. 277, provided that expenditures shall not exceed ten (10) per cent of receipts for tax on fire insurance premiums, \$15,000.00, Substitute Senate Bill No. 305.  
Member of the board of contracts and awards, having sole jurisdiction over awarding of all contracts over \$5,000.00, Senate Bill No. 58.  
Relating to state auditing system, Senate Concurrent Resolution No. 2.  
Taking over the duties of the department of efficiency, Senate Bill No. 107.  
To carry out the provisions of House Bill No. 582, Section 24: Salaries and wages, \$10,920.00; operations, \$2,330.00; total, \$13,250.00, Substitute Senate Bill No. 305.  
To carry out the provisions of Senate Bill No. 340 (from motor vehicle fund), salaries, wages and operations, \$7,500.00, Substitute Senate Bill No. 305.  
To carry out the provisions of House Bill No. 158, Section 9½, and House Bill No. 184, Section 5 (state emergency relief fund), salaries and wages, \$23,400.00; operations, \$15,320.00; total, \$38,720.00, Substitute Senate Bill No. 305.

**State Board of Equalization:**

Deficiency, operations (emergency approved October 10, 1934), \$200.00, Substitute Senate Bill No. 305.

**State Board of Law Examiners:**

Deficiency, salaries account of attorney general's opinion, October 11, 1933: Dix H. Rowland, \$352.76; Thomas E. Grady, \$269.43; A. H. Hilten, \$269.43, Substitute Senate Bill No. 305.

**State Board of Health:**

Establishing a, prescribing powers, duties, qualifications and salaries of same, Senate Bill No. 116.  
Duties in connection with water and air pollution, Senate Bill No. 312.  
Providing for appointment of the members of the; defining the powers and duties of the, Senate Bill No. 174.  
Relating to powers and duties of, to regulate, qualifications of all public health personnel by the, Senate Bill No. 175.

**State Book Commission:**

Establishing a, Senate Bill No. 43.  
Selection and distribution of uniform textbooks free to pupils in public schools, other than schools of higher education, Senate Bill No. 43.

**State Board of Pharmacy:**

Creating a state board of, and prescribing their duties with respect thereto, Senate Bill No. 85.

**State Capitol Committee:**

Deficiency, appraisement and sale of lands and timber (emergency approved August 21, 1933), \$5,000.00, Substitute Senate Bill No. 305.

**State College of Washington:**

Deficiency, salaries, wages and operations (to reimburse general fund account emergency approved May 3, 1934), \$50,000.00, Substitute Senate Bill No. 305.

Power plant, building, boiler and machinery and moving boilers, \$169,500.00 (being the 1933 reappropriation), Substitute Senate Bill No. 305.

Relating to a system of student fees at, Substitute Senate Bill No. 92.

**State Director of Health:**

Defining the powers and duties of the, Senate Bill No. 116.

Providing for the appointment of the, providing and defining his powers and duties, Senate Bill No. 174.

To be one on the committee on water and air pollution, Senate Bill No. 312.

**State Emergency Relief Fund:**

For the state auditor: To carry out the provisions of House Bill No. 158, Section 9½, and House Bill No. 184, Section 5: Salaries and wages, \$23,400.00; operations, \$15,320.00; total, \$38,720.00, Substitute Senate Bill No. 305.

**State Eugenicist:**

Defines powers and duties of, Senate Bill No. 5.

Establishes a, Senate Bill No. 5.

**State Fair Fund:**

Abolishing the state fair fund, Senate Bill No. 182.

**State Finance Committee:**

To carry out the provisions of Senate Bills Nos. 151, 152, 252 and 254, \$5,000.00. Substitute Senate Bill No. 305.

**State Game Commission:**

Relating to payment of unpaid obligations of county game commissions, Senate Bill No. 9.

**State Government:**

Pertaining to course of study in functions of, Senate Bill No. 83.

Providing for the more efficient administration of, Senate Bill No. 107.

**State Health Fund:**

Creating, providing for the financial maintenance local and district board and personnel, Senate Bill No. 116.

**State Highway Department:**

Authorizing the director of business control to make contracts with; for use of motor vehicle, warehouse or garage facilities, Senate Bill No. 178.

**State Highway No. 5:**

Providing for the extension thereof, Senate Bill No. 133.

**State Highway No. 15:**

Providing for the necessary surveys, construction and completion of, Senate Bill No. 20.

**State Institutions:**

Providing for the care of feeble-minded children; and the establishment of an institution, Senate Bill No. 317.

Relating to, in supplementary appropriations bill, Senate Bill No. 305.

**State Land Commissioner:**

Taking over the duties of the "department of conservation and development," Senate Bill No. 107.

**State Lands (see Public Lands):**

Granting permits, leases and certain preference rights to take petroleum and natural gas, Senate Bill No. 255.

Relating to leasing of, for grazing and prohibiting certain acts in relation thereto, Senate Bill No. 302.

**State Liquor Board:**

Pertaining to control and regulation thereof and classifying licenses for manufacturing and sale of, Senate Bill No. 87.

Pertaining to liquor revolving fund reserving not to exceed \$300,000.00, Senate Bill No. 91.

**State Meat Inspector:**

Defining duties of, Senate Bill No. 164.

**State Normal Schools:**

Relating to old age annuities for faculties and employees of the, Senate Bill No. 277.

**State Offices:**

Providing for the filing of quarterly estimates with the division of budget by, Senate Bill No. 316.

Relating to closing all state offices on Saturday at 12 o'clock, Senate Bill No. 124.

Setting time for election of, Senate Bill No. 123.

**State Officers:**

Requiring contractor's bond on public work, Senate Bill No. 52.

**State Officials:**

Providing for election of, Senate Bill No. 31.

**State of Washington:**

Dividing the state into Eastern and Western Washington, Senate Joint Resolution No. 23.

**State Parks:**

Appropriating money for motor vehicle fund to the state parks and parkway fund for maintenance of, Senate Bill No. 291.

Relating to state parks committee and providing for the condemnation of timbered areas bordering upon state highways, Senate Bill No. 292.

**State Parks and Parkway Fund:**

Appropriating from, \$2,000,000.00, for condemnation of timbered areas bordering upon state highways, Senate Bill No. 292.

Appropriating from the motor vehicle fund, a sum equivalent to one-tenth of one cent on each gallon of gas to, for maintenance of state parks, Senate Bill No. 291.

**State Parks Committee:**

Duties in connection with safety of railroad highway crossings, Senate Bill No. 314.

For salaries, wages and operations, \$250,000.00 (to be expended in cooperation with the department of welfare), Substitute Senate Bill No. 305.

**"State Parole Act:"**

Creating a board of parole and citing the act creating it, as the, Senate Bill No. 108.

**"State Peoples Motor Vehicle Fund:"**

Creating the—providing one (1c) cent a gallon on motor vehicle fuel, Senate Bill No. 336.

**State Planning Council:**

Placing one member of the, on state flood control commission, Senate Bill No. 113.

**State Property:**

Providing for regulation, use and maintenance of state-owned motor vehicles, storage warehouses or garages, Senate Bill No. 178.

Providing penalty for unlawful use of state-owned motor vehicles, Senate Bill No. 179.

**State Reclamation Act:**

Amending sections 2, 5, 7, chapter 158, Laws of 1919—relating to the development of the natural resources and the reclamation of arid, swamp, overflow, and logged-off lands, Senate Bill No. 238.

**State Reclamation Revolving Fund:**

Disposition of moneys relative to conservation and development to the, Senate Bill No. 266.

**State Road No. 2:**

Relating to, or the Sunset highway, establishing a branch thereof, six miles east of North Bend to Auburn, Senate Bill No. 289.

**State Road No. 4:**

Establishing a primary state highway known as, Senate Bill No. 61.  
Establishing a primary state highway to be known as Tonasket-San Poil highway or, Senate Bill No. 284.

**State Road No. 5:**

Establishing a primary highway to be known as, Senate Bill No. 226.  
Establishing the, or National Park highway system, Senate Bill No. 210.  
Petitioning Congress to allocate out of P. W. A. monies for the construction of a vehicular tunnel through the Cascade mountains, via, Substitute Senate Joint Memorial No. 18.

**State Road No. 8:**

Establishing a primary state highway known as, Senate Bill No. 64.

**State Road No. 9:**

Establishing a state road to be known as Olympic highway or, Senate Bill No. 280.

**State Road No. 12:**

Establishing a primary state highway known as, Senate Bill No. 66.

**State Road No. 13:**

Establishment of, Senate Bill No. 46.

**State Road No. 14:**

Relating to, or the Navy Yard highway, establishing a branch thereof, near Purdy to Clifton, Senate Bill No. 288.

**State Road No. 15:**

Improving branch of, between King-Snohomish county line to Monroe, Senate Bill No. 260.

**State Road No. 21:**

Establishing a branch of, Senate Bill No. 75.

**State Rural Electrification Authority Act:**

Creating, making electric energy available in the state at the lowest cost consistent with sound economy, Senate Bill No. 300.

**State School Equalization Fund:**

Creation of, and making provisions for administration of, Senate Bill No. 309.

**State School for the Blind:**

Appropriating monies for tank and equipment for the, Substitute Senate Bill No. 305.

**State School for the Deaf:**

Appropriating monies for drilling a well and tank and equipment at the, Substitute Senate Bill No. 305.

**State Supervisor:**

Creating the office of state supervisor in flood control districts, Senate Bill No. 113.

**State Taxation Commissioners:**

Establishing a board of, and providing for election of three commissioners, Senate Bill No. 107.

**State Treasurer:**

- Amending the constitution allowing increase in salary of the, Senate Joint Resolution No. 14.
- Authorizing state treasurer to receive monies from sales tax, Senate Bill No. 181.
- Deficiency, salaries, wages and operations (to reimburse general fund account emergencies approved March 13, 1933, and April 11, 1934), \$7,180.10, Substitute Senate Bill No. 305.
- Defining powers and duties of the, in connection with abolishing the state fair fund, Senate Bill No. 182.
- Defining powers and duties of the, in connection with the transfer of the agricultural college current fund to the Washington State College current fund, Senate Bill No. 200.
- Defining powers and duties of the, in connection with transfer of monies in A. Y. P. Exposition fund to general fund, Senate Bill No. 198.
- Defining powers and duties of, in connection with transfer of the A. Y. P. Exposition guaranteed interest fund, Senate Bill No. 194.
- Defining the powers and duties of, in connection with abolishing the charitable, educational, penal and reformatory institution current fund, Senate Bill No. 183.
- Defining powers and duties of the, in connection with the transfer of moneys from the reformatory revolving fund to the general fund, Senate Bill No. 197.
- Defining the powers and duties of the, in connection with abolishment of highway safety fund, Senate Bill No. 186.
- Defining powers and duties of the, in connection with the transfer of the old age pension funds to the general fund, Senate Bill No. 199.
- Defining powers and duties of the, in connection with transfer of monies in penitentiary revolving fund to general fund, Senate Bill No. 196.
- Defining powers and duties of the, in connection with abolishment of the permanent highway fund, Senate Bill No. 185.
- Defining powers and duties of the, in connection with transfer of monies in the scientific school current fund to general fund, Senate Bill No. 195.
- Defining powers and duties of the, in connection with transfer of shoreland improvement fund to general fund, Senate Bill No. 193.
- Defining the duties and powers of the, in connection with the abolishment of the university current fund, Senate Bill No. 184.
- Designating the state treasurer as a member of the state police pension fund, Senate Bill No. 322.
- Empowering the, as a member of the state board of contract and awards, Senate Bill No. 219.
- Empowered to receive all monies from director of agriculture to be credited to "seed fund," Senate Bill No. 118.
- Empowering state treasurer to receive and disburse the monies received from the licenses of sanipractors, Senate Bill No. 129.
- Establishing the federal cooperation extension fund, Senate Bill No. 191.
- Member of the board of contracts and awards, having sole jurisdiction over awarding of all contracts over \$5,000.00, Senate Bill No. 58.
- Monies received from United States to be applied to current school fund, by, Senate Bill No. 56.
- Payment against, to Union Iron Works, \$18; to Kern & Kibbe, \$18, Senate Bill No. 205.
- Pertaining to the abolishing of the Adams, Hatch and Purnell funds, Senate Bill No. 189.
- Pertaining to duties of the, in connection with abolishing auto title fund, Senate Bill No. 188.
- Pertaining to duties of, in connection with the abolishing of commission merchants fund, Senate Bill No. 187.
- Pertaining to the duties of, in connection with the abolishing of the federal vocational rehabilitation fund, Senate Bill No. 201.
- Pertaining to duties of the, in connection with the establishment of the federal experiment station fund, Senate Bill No. 189.
- Pertaining to duties of, in connection with the abolishing of the Lewis river hatchery fund, Senate Bill No. 203.

**State Treasurer—Continued:**

- Pertaining to duties of, in connection with the abolishing of the Oyster reserve fund, Senate Bill No. 204.
- Pertaining to duties of, in connection with the abolishing of the current state school suspense fund, Senate Bill No. 202.
- Pertaining to, the transfer of lateral highway funds to motor vehicle fund, Senate Bill No. 192.
- Placing state treasurer on board of contracts and awards, Senate Bill No. 58.
- Providing for manner of paying from registration fees to State Pharmaceutical Association, Senate Bill No. 85.
- Reimbursing general fund from rentals received by state treasurer for the Port of Seattle and appropriating \$64,515.67, Substitute Senate Bill No. 305.
- Relating to repayment of superadded liability upon the capital stock of a bank or trust company, Senate Bill No. 89.
- Relating to the abolishment of the shoreland improvement guaranteed interest fund, Senate Bill No. 190.
- Taking over the duties of the department of licenses, Senate Bill No. 107.
- To be a member of retirement pension board, Senate Bill No. 42.
- To be custodian of federal aid funds and providing for advancements on anticipated reimbursements, Senate Bill No. 57.
- To credit moneys relative to conservation and development to the state reclamation revolving fund, Senate Bill No. 266.

**Statistics:**

- Creating a division of statistics in the Washington state patrol, Senate Bill No. 166.

**Steamships:**

- Relating to steamboat companies and providing for additional regulations, Senate Bill No. 153.

**Steelhead Trout:**

- Prohibiting the shipping of, from November to May of each year, Senate Joint Resolution No. 18.

**Sterilization:**

- Creates eugenical sterilization law, Senate Bill No. 5.
- Providing for eugenical methods, Senate Bill No. 5.

**Stevens County:**

- Fruitland irrigation district, \$465.55, Substitute Senate Bill No. 305.

**Stevens Pass Highway:**

- Improving a branch of state road No. 15 between King-Snohomish county line to Monroe, Senate Bill No. 260.
- Providing for the necessary surveys, construction, and completion of state highway No. 15, known as the, Senate Bill No. 20.

**Still Births:**

- Requiring physicians, midwives and hospitals, or any person to furnish vital statistics to state department of health—pertaining to, Senate Bill No. 115.

**Storage Warehouses:**

- Regulation and supervision of, by department of public works, in counties of over fifty thousand population, Senate Bill No. 207.

**Stores:**

- Requiring license for operation of, Senate Bill No. 8.

**"Street Car Bus:"**

- Defining the term,—Fixing License Fees for Motor Vehicles, Senate Bill No. 328.

**Street Railroads (see Railroads).****Streets:**

- Declaring certain streets in incorporated cities and towns to be a part of state highway system, Senate Bill No. 138.

**Stubblefield, Harry W.:**

Refund of unclaimed bank dividends escheated to the state, §32.28, Substitute Senate Bill No. 305.

**Student Fees:**

Relating to, and to associated students of the University of Washington, Senate Bill No. 214.

**Sunset Highway:**

Relating to state road No. 2, or the, and establishing a branch thereof, six miles east of North Bend to Auburn, Senate Bill No. 289.

**Superintendent of Public Instruction:**

Amending the constitution to allow the increase of salary of, Senate Joint Resolution No. 13.

Ex-officio member of the Washington state development commission, Senate Bill No. 117.

Providing for the non-partisan election of, Senate Bill No. 44.

State library deficiency, salaries, wages and operations (emergency approved March 29, 1934), \$7,000.00, Substitute Senate Bill No. 305.

State library: for equipment, maintenance, and labor to preserve and display articles of historical value and interest, \$3,000.00, Substitute Senate Bill No. 305.

**Superior Courts:**

Abolishing writs of garnishment in, Senate Bill No. 261.

Pertaining to children's or domestic relation cases in the, Senate Bill No. 109.

Providing manner of filling vacancies in the office of a judge of the, Senate Bill No. 127.

Relating to garnishments in the, Senate Bill No. 131.

Relating to recovery of possession of real property wrongfully detained, Senate Bill No. 217.

Relating to selection of jurors in the, Senate Bill No. 49.

**Superior Court Judges:**

Deficiency, salaries and wages (emergency approved April 17, 1933), \$1,184.87, Substitute Senate Bill No. 305.

Deficiency, salaries for the biennium ending March 31, 1935, \$5,100.00, Substitute Senate Bill No. 305.

Emergency appropriation of \$4,000.00 for salaries and wages of, for biennium ending March 31, 1935, Senate Bill No. 180.

**Supervisor of Hydraulics:**

Designating supervisor to be ex-officio clerk of flood control commission, Senate Bill No. 113.

Relating to hearing upon the application for transfer of water users rights, before the, Senate Bill No. 125.

**Supervisor of Savings and Loan Associations:**

Duties of, in connection with shareholders and liquidation and regulation of savings and loan associations, Senate Bill No. 271.

**Supplementary Appropriations Bill:**

By the senate committee on appropriations, Senate Bill No. 305.

**Supreme Court:**

For salaries of law clerks at not to exceed \$150.00 each per month, \$18,000.00, Substitute Senate Bill No. 305.

Providing manner of filling vacancies in the office of a judge of the, Senate Bill No. 127.

Relating to obtaining opinion by the governor or the senate or house of representatives upon constitutional questions, Senate Bill No. 146.

Relating to publication and sale of Reports of Washington, Senate Bill No. 332.

Right to immediate determination by the supreme court of the constitutionality on an initiative measure or an act of the legislature, Senate Bill No. 135.

**Surveys:**

Providing for a soil survey of land under irrigation in Kittitas county, Senate Bill No. 231.

**Swamp Lands:**

Relating to the reclamation of, Senate Bill No. 238.

**Swanson, Elof:**

Refund for overpayment on gross revenue fees, \$78.46, Substitute Senate Bill No. 305.

**Talus, Martin:**

Refund of license fee, \$10.00, Substitute Senate Bill No. 305.

**Tangible Property:**

Relating to new system of taxes on the volume of business and assessment upon unexempt, Senate Bill No. 325.

**Taxation:**

Allowing deduction in the assessment of homes, exempting homes from levy, distraint or seizure, Senate Bill No. 303.

Designed to eliminate all real and personal property from the tax rolls and substituting a "volume of business" system of, Senate Bill No. 325.

Establishing system of sales tax, Senate Bill No. 181.

Exempting homesteads, in satisfaction of any tax, Senate Bill No. 126.

Imposing tax upon gross rentals from real property, Senate Bill No. 18.

Increasing tax levy, for firemen's relief and pension fund, Senate Bill No. 77.

In relation to the supervision, regulation and taxation of, motor vehicles used for freight transportation, Senate Bill No. 218.

Permitting taxing districts to obtain relief by readjustment of such debts provided for under an act of congress, entitled "An act to establish a uniform system of bankruptcy throughout the U. S., Senate Bill No. 274.

Providing for a turnover tax on all transactions and providing for the enforcement thereof, Senate Bill No. 345.

Providing for an additional tax of one (1c) cent a gallon on motor vehicle fuel—Providing for allocation of monies to general fund and state peoples motor vehicle fund, Senate Bill No. 336.

Providing for exemptions of household goods and other personal property, Senate Bill No. 227.

Providing for method by state rural electrification authority, Senate Bill No. 300.

Providing for power for legislature to supervise and control the valuing of property for local taxation, Senate Joint Resolution No. 2.

Providing for the levy and collection of assessment against lands in flood control districts, Senate Bill No. 113.

Regulating the assessment, levy and collection of taxes, Senate Bill No. 103.

Relating to assessment and taxation of mineral rights, Senate Bill No. 28.

Relating to a tax levy for the reclamation revolving fund, Senate Bill No. 142.

Relating to equalizing of assessed valuation of the taxable property of the state, Senate Bill No. 103.

Relating to, exempting buildings and improvements, Senate Bill No. 354.

Relating to extension of time of rebate on 1934 real and personal property tax, Senate Bill No. 323.

Relating to, imposing a tax on gross rentals, Senate Bill No. 355.

Relating to levying upon classified properties, Senate Bill No. 74.

Relating to removal of timber or improvements from lands, until taxes thereon are paid, Senate Bill No. 95.

Relating to severance tax upon, timber, oil, coal, Christmas trees, Senate Bill No. 30.

Right to define what land value taxation is, by instructors in schools of higher education, Senate Bill No. 100.

Test of valuation of real property by assessor, amending the law, Senate Bill No. 263.

The power of taxation shall never be suspended, surrendered or contracted away, Senate Joint Resolution No. 17.

**Taxation—Continued:**

Uniform taxes on same class of subjects, Senate Joint Resolution No. 1.  
Upon anticipation of collections, cities of the first class may borrow money for corporate purposes on promissory notes, Senate Bill No. 308.

**Tax Commission:**

Abolishing the, Senate Bill No. 107.  
Deficiency, operations (emergency approved October 4, 1934), \$3,933.00, Substitute Senate Bill No. 305.  
Establishing a sales tax, under the direction and supervision of the, Senate Bill No. 181.

**Taxing District Relief Act:**

Providing for, Senate Bill No. 274.

**Tax Levy:**

Authorizing a one-half mill levy in counties and cities of the first class, Senate Bill No. 116.

**Taylor, Mrs. Lulu:**

Refund of unclaimed dividends escheated to the state, \$146.87, Substitute Senate Bill No. 305.

**Telegraph Companies:**

Pertaining to the assessment of the taxable property of the, Senate Bill No. 103.

**Texas Company:**

Federal tax on gasoline furnished Northern State Hospital, November 22, 1932, August 13, 1932, and February 6, 1933, \$15.00, Substitute Senate Bill No. 305.

**Textbooks:**

Providing for free textbooks to pupils of all public schools of state, other than higher education schools, Senate Bill No. 43.

**Tieton Water Users Association:**

Fiscal agent for United States, water-right charges for the years 1933 and 1935 accrued on lands owned by the state of Washington under the Tieton division of the Yakima federal irrigation project, \$3,765.92, Substitute Senate Bill No. 305.

**Timber:**

Relating to employees of first class cities, Senate Bill No. 12.  
Relating to, protection of forest products industries and labor, Senate Joint Memorial No. 5.  
Relating to severance tax upon, Senate Bill No. 30.

**Timber Lands:**

Providing for the condemnation of timbered areas bordering upon state highways, Senate Bill No. 292.  
Relating to taxes and delinquent taxes on, Senate Bill No. 95.

**Time:**

Period allowed for laws or initiative measures to remain in office of secretary of state before submitting same to the supreme court, Senate Bill No. 135.

**Toll Bridge:**

Pertaining to purchase of "Bremerton to East Bremerton," Senate Bill No. 84.  
Congress memorialized to allocate a P. W. A. grant to purchase the toll bridge between Bremerton and East Bremerton, Senate Joint Memorial No. 20.

**Tonasket-San Poil Highway:**

Establishing a primary state highway to be known as state road No. 4 or the, Senate Bill No. 284.  
Establishing, Senate Bill No. 61.

**Tourist Camps:**

Providing for the licensing and sanitary supervision of auto camps under the state department of health, Senate Bill No. 114.

**Town Officers:**

Setting time for the election of, Senate Bill No. 123.

**Transactions:**

Relating to taxation—providing for a turnover tax on all, Senate Bill No. 345.

**Transportation:**

Relating to, by motor vehicles over the public highway, Senate Bill No. 218.  
Relating to fees to be paid for motor vehicle for transportation, Senate Bill No. 35.

Relating to, of agricultural commodities, Senate Bill No. 155.

**Transport Corporation:**

Material furnished highway department, July 22, 1932, \$14.07, Substitute Senate Bill No. 305.

**Treasurer of King County:**

Expenses in the matter of the action for the extradition of Charles E. Walters and Ralph Walters, \$1,524.60, Substitute Senate Bill No. 305.

**Treasurer of Thurston County:**

Payment of assessments on state lands located in joint drainage improvement-district No. 7, \$2,046.37, Substitute Senate Bill No. 305.

**Travelers:**

Promoting safety of travelers upon railroads, Senate Bill No. 80.

**Trial by Jury:**

Relating to constructive contempt and granting the accused the right of, and change of judge, Senate Bill No. 306.

**Trost, Louis:**

Refund of bank dividends escheated to the permanent school fund, \$62.63, Substitute Senate Bill No. 305.

**Truck Companies (see "Motor Vehicle Companies").****Tuberculosis:**

Relating to care of persons suffering from, Senate Bill No. 137.

**Tuition:**

Relating to tuition at the University of Washington and Washington State College, Senate Bill No. 215.

**Tuition Fees:**

Establishing special tuition fees in professional schools of the University of Washington, Senate Bill No. 276.

**Tunnels:**

Petitioning congress to allocate \$10,000,000.00 for a tunnel through the Cascade mountains, Senate Joint Memorial No. 18.

Petitioning congress to allocate out of P. W. A. money for the construction of a vehicular tunnel through the Cascades via and under Naches pass, Substitute Senate Joint Memorial No. 18.

Survey for the Cascade vehicular tunnel, Senate Bill No. 62.

**Twin Harbors Beach:**

Establishing a primary state highway to be known as, Senate Bill No. 45.

**Undertakers:**

Requiring undertakers to furnish to state department of health vital statistics pertaining to deaths, Senate Bill No. 115.

**Unemployment:**

Providing for relief from involuntary, declaring the policy of the state, Senate Bill No. 350.

**Unemployment Compensation Fund:**

Creating an, and defining powers and duties thereof, Senate Bill No. 350.

Providing contributions by employers for an, Senate Bill No. 350.

**Union High School Districts:**

Relating to the organization of boards of directors of union high school districts, Senate Bill No. 301.

**Union Iron Works:**

To discharge the judgment rendered in favor of, \$18, Senate Bill No. 205.  
(Union Iron Works vs. The State of Washington, No. 23726), \$18.00, Substitute Senate Bill No. 305.

**Union Oil Co.:**

Gasoline furnished highway department, November 7, 1932, \$5.88, Substitute Senate Bill No. 305.  
Supplies furnished highway department, February 21, 1933, \$7.20, Substitute Senate Bill No. 305.

**United States of America:**

Pertaining to lands owned by, in cooperation with state flood control, Senate Bill No. 113.

**United States Government:**

Refund on tax paid on gasoline purchased for official use of the United States in the state of Washington, \$43.97, Substitute Senate Bill No. 305.

**University Current Fund:**

Abolishing the, Senate Bill No. 184.

**University of Washington:**

Appropriating \$40,000.00 for laboratory for the engineering school of the, Senate Bill No. 284.  
Authorizing the board of regents of the, to assist the faculties and other employees, of, the, in purchasing old age annuities, Senate Bill No. 277.  
Deficiency, salaries, wages and operations (to reimburse general fund account emergency approved December 10, 1934), \$80,000.00, Substitute Senate Bill No. 305.  
Material necessary for the construction and equipment of an aero dynamic laboratory for the University of Washington, \$40,000.00, Substitute Senate Bill No. 305.  
Providing for instruction in public service in cities, county, state, national and international governmental functions at the, Senate Bill No. 83.  
Providing for instruction in social economics in the, Senate Bill No. 100.  
Relating to special tuition fees of professional schools, in the, Senate Bill No. 276.  
Relating to student fees and to the associated students of the, Senate Bill No. 214.  
Relating to tuition at the, Senate Bill No. 215.

**University of Washington Building Fund:**

For the University of Washington: Material necessary for the construction and equipment of an aero dynamic laboratory for the University of Washington, \$40,000.00. (This appropriation shall be effective only in the event that all funds necessary for the payment of labor costs used in the construction of said laboratory be furnished by the Federal government.) Substitute Senate Bill No. 305.

**University of Washington Fund:**

Appropriating for the University of Washington (deficiency, salaries, wages and operations, \$80,000.00), Substitute Senate Bill No. 305.

**U. S. Fidelity and Guaranty Co.:**

(United States Fidelity & Guaranty Company, a corporation, vs. The State of Washington, No. 15054), \$4,165.03, Substitute Senate Bill No. 305.

**U. S. Secretary of Agriculture:**

Relating to agreement on licenses relative to marketing agreements, Senate Bill No. 155.

**Usury:**

Defining the crime of, Senate Bill No. 119.

**Utilities:**

Fixing the terms of utility revenue bonds, Senate Bill No. 134.

Relating to special utility warrants in incorporated cities and towns, Senate Bill No. 39.

**Validating Act:**

Ratifying, approving and confirming bonds and other obligations heretofore issued by public bodies of this state for public works projects, Senate Bill No. 297.

**Valma Securities Corporation:**

Balance due for removal of gravel for highway department in 1931, \$50.00, Substitute Senate Bill No. 305.

**Valvoline Oil Co.:**

Supplies furnished state highway patrol for previous biennium (relief), \$22.50, Substitute Senate Bill No. 305.

**Van Trojan (A. J.):**

In lieu of A. Y. P. E. fund, warrant No. 1617 (relief), \$10.00, Substitute Senate Bill No. 305.

**Vaughn, William J.:**

State of Washington vs. William J. Vaughn, No. 23587, in full settlement, \$200.00, Substitute Senate Bill No. 305.

**Venue:**

Fixing venue in civil actions, Senate Bill No. 73.

**Veterans:**

Petitioning congress to repeal National Economy Act in so far as it reduces veterans' pensions and allowances, Senate Joint Memorial No. 7.

Providing educational opportunities for children of veterans of the world war who were killed in action or who died during service, Senate Bill No. 246.

**Veto Messages** .....10, 11, 851-862

**Vital Statistics:**

Expression of principles be printed upon ballots to get expressions of, Senate Bill No. 136.

Relating to collection, compilation and certification of, Senate Bill No. 115.

**Vocational Groups:**

Permitting licensed, to form associations for the purpose of regulating their callings and taking over the powers now granted to the director of licenses, Senate Bill No. 290.

**Volume of Business:**

Eliminating real and personal property tax and substituting therefor a new system by imposing taxes upon the, Senate Bill No. 325.

**Voters:**

Authorizing certain persons to assist blind persons or persons of defective vision to mark their ballot, Senate Bill No. 110.

Relating to public utilities and amending present law providing for submission to voters of systems or plans proposed, Senate Bill No. 298.

**Voting Machines:**

Relating to custody, testing and preparing of, Senate Bill No. 99.

**Wages and Salaries:**

Creating a priority lien for unpaid, Senate Bill No. 37.

Emergency appropriation for, judges of the superior court for biennium ending March 31, 1935, Senate Bill No. 180.

Pertaining to rebate of, Senate Bill No. 68.

Providing for the security of payment of wages to workers in coal mines, Senate Bill No. 97.

Regulating the payment of wages of employees in private employment, Senate Bill No. 38.

Relating to employees of first class cities, Senate Bill No. 12.

**Wages and Salaries—Continued:**

Relating to exemption from garnishment of, same, of elective public officers, Senate Bill No. 78.

Relating to minimum wages of employees of the state of Washington, and of all municipal corporations and division thereof, Senate Bill No. 228.

Securing and regulating payment of compensation for employees in private service, Senate Bill No. 38.

**Wagner-Peyser Act:**

Accepting the provisions of the, under the Unemployment Compensation Act, Senate Bill No. 350.

**Wahkiakum County:**

Bridge to be built across Columbia river from Puget island to, Senate Bill No. 248.

Diking district No. 1, \$3,108.47; diking improvement district No. 4, \$2,999.72; total, \$6,108.19, Substitute Senate Bill No. 305.

**Warehousemen:**

Regulation and supervision of, by department of public works, in counties of over fifty thousand population, Senate Bill No. 207.

**Warehouses:**

Providing for leasing or construction of state owned storage, Senate Bill No. 178.

**Warner, L. W.:**

Overpayment of license fees, \$18.00, Substitute Senate Bill No. 305.

**Washington A. A. A.:**

Prohibiting the overcharging of consumers by retailers of basic agricultural commodities, Senate Bill No. 209.

**Washington Emergency Relief:**

Relating to investigation of.....34, 160, 179, 193, 247, 450, 458, 626, 718, 751

**Washington Financing Company:**

Refund of automobile dealers license, \$45.00, Substitute Senate Bill No. 305.

**Washington Milk Act:**

Declaring the distribution of milk to be a public utility, Senate Bill No. 230.

Providing for the purchase, sale, transportation, processing and distribution of milk by the state, Senate Bill No. 230.

**Washington State Bar Association:**

Repealing chapter 94, Laws of 1933, regulating the practice of attorneys, Senate Bill No. 132.

**Washington State College:**

Authorizing the board of regents of, the, to assist the faculties and other employees of, in purchasing old age annuities, Senate Bill No. 277.

Conducting a soil survey of the lands under irrigation in Kittitas county, to ascertain the quantity, location, and potential productivity of such lands. Such soil survey to be conducted under supervision of the head of soils work at the State College of Washington in cooperation with the bureau of chemistry and soils of the United States department of agriculture, \$3,000.00, Substitute Senate Bill No. 305.

Providing for instructions in public service in cities, county, state, national and international governmental functions at the, Senate Bill No. 83.

Providing for instructions in social economics in, Senate Bill No. 100.

Relating to student fees, at, collection and disbursement of same, at, Substitute Senate Bill No. 92.

Relating to tuition at the, Senate Bill No. 215.

Relating to tuition fees and expenditure of appropriations, Senate Bill No. 92 and Substitute Senate Bill No. 92.

Relating to tuition fees being deposited into, Senate Bill No. 92 and Substitute Senate Bill No. 92.

Repealing laws prohibiting sale of liquor within 2,000 feet of, Senate Bill No. 250.

**Washington State College Fund:**

Appropriation for the State College of Washington—deficiency, salaries and operations, \$50,000.00, Substitute Senate Bill No. 305.

**Washington State Day:**

Providing for the observance of, Senate Concurrent Resolution No. 3.

**Washington State Development Commission:**

Creating a non-salaried, defining its duties, Senate Bill No. 117.

**Washington State Highway Code:**

Creating of, Senate Bill No. 55.

**Washington State Patrol:**

Creating a criminal identification division in the, Senate Bill No. 166.  
Deficiency, salaries, wages and operations (emergency approved November 13, 1934), \$81,561.60, Substitute Senate Bill No. 305.

**Washington State Penitentiary:**

Deficiency, salaries, wages and operations (emergency approved January 7, 1935), \$8,000.00, Substitute Senate Bill No. 305.

**Washington State Planning Council:**

Deficiency, salaries, wages and operations (emergencies approved April 11, 1934, and January 11, 1935), \$12,200.00, Substitute Senate Bill No. 305.  
Printing of maps and other publications of the Washington state planning council, other than the biennial report, receipts from sale of maps and publications to be paid into the general fund of the state treasury, \$2,000.00, Substitute Senate Bill No. 305.

**Washington State Sanitary Code:**

Provided for, Senate Bill No. 313.

**Water:**

Committee on water and air pollution to make experiments and investigations, Senate Bill No. 312.  
Relating to liens for delinquent charges for water and electric energy furnished by cities, Senate Bill No. 293, also Senate Bill No. 304.  
Relating to the use or diversion of, Senate Bill No. 125.  
Relating to water and water power districts in relation to fire hose and fire fighting equipment, Senate Bill No. 310.

**Watercrafts:**

Empowering the issuance of a search warrant for, Senate Bill No. 139.

**Water Districts:**

Providing for the maintenance of local improvement guaranty funds to be derived from percentage of gross revenues of, Senate Bill No. 270.  
Relating to the consolidation of, Senate Bill No. 321.  
Relating to water power districts in relation to purchase of fire hose and fire fighting equipment, Senate Bill No. 310.

**Water Rights:**

Pertaining to the regulation and control of the rights and use of the waters of the state, Senate Bill No. 125.  
Relating to the regulation and control of waters within the state of Washington and rights to the use thereof, Senate Bill No. 320.

**Watersheds:**

Relating to city diverting water from its, Senate Bill No. 320.

**Water Systems:**

Appropriating for the drilling of a well and installing a water system for the school for the deaf and the school for the blind at Vancouver, Washington, Senate Bill No. 141.  
Relating to acquirement and extension of water works systems beyond city limits, Senate Bill No. 134.  
Water districts to provide for maintenance of local improvement guaranty funds, Senate Bill No. 270.

**Waterworks:**

Validating bonds for the purpose of financing the construction of, in any city in the state, Senate Bill No. 346.

**Wealth:**

Providing classification of wealth for taxable purpose by constitutional amendment, Senate Bill No. 74.

Regulating fees for burial charges, Senate Bill No. 29.

Relating to real estate mortgages, Senate Bill No. 11.

**Weapons (see Fire Arms).****Weeds:**

Prohibiting the sale of weeds mixed with seeds containing more than five per cent weed seeds, Senate Bill No. 118.

**Welfare:**

Relating to welfare of minor children, Substitute Senate Bill No. 6.

**Western State Hospital:**

An emergency appropriation of \$70,000.00 for the, Senate Bill No. 111.

**Whatcom County:**

Drainage districts numbers 1, 4, 5, and 7, \$233.49, Substitute Senate Bill No. 305.

For the relief of secondary highways in, \$100,000.00 is appropriated, Senate Bill No. 229.

Lynden road No. 26, \$10.08; Blaine—Ferndale extension No. 19, \$31.55; Nook-sack-Sumas No. 31, \$55.02, \$96.65, Substitute Senate Bill No. 305.

**White Motor Co.:**

Refund of corporation filing fees, \$57.90, Substitute Senate Bill No. 305.

**Wild Animal Fund:**

Transferring money in, to the current expense fund of county, Senate Bill No. 311.

**Willapa-Grays Harbor Highway:**

Establishment of, Senate Bill No. 46.

**Wilmore, Emma et al.:**

Gleason vs. Wilmore, No. 126697, \$19.60, Substitute Senate Bill No. 305.

**Wilson, W. V.:**

For witness fees and mileage in C. M., St. P. & P. Ry. Co. vs. Various Counties restraining suits (a/c taxes years 1926 and 1927), Substitute Senate Bill No. 305.

**Wilson Motor Co.:**

Refund of gross revenue fees, \$54.75, Substitute Senate Bill No. 305.

**Wineries:**

Pertaining to the manufacture and sale of wine, Senate Bill No. 87.

**Wines:**

Repealing laws requiring a certain age limit on, Senate Bill No. 249.

**Witnesses:**

Relating to the opinion evidence of expert, and fixing fees, Senate Bill No. 169.

**Women:**

Relating to hours, wages and conditions of labor for household workers, Senate Bill No. 208.

**Workmen:**

Pertaining to care of, Senate Bill No. 79.

Relating to hours, wages and conditions of labor for household workers, Senate Bill No. 208.

**Workmen's Compensation Law:**

Investment of funds of the accident fund and the reserve fund of, Senate Bill No. 252.

**Writs of Garnishment (see Garnishments).****Yakima County:**

Outlook irrigation district, \$193.16; Yakima-Benton irrigation district, \$555.79; total \$748.95, Substitute Senate Bill No. 305.